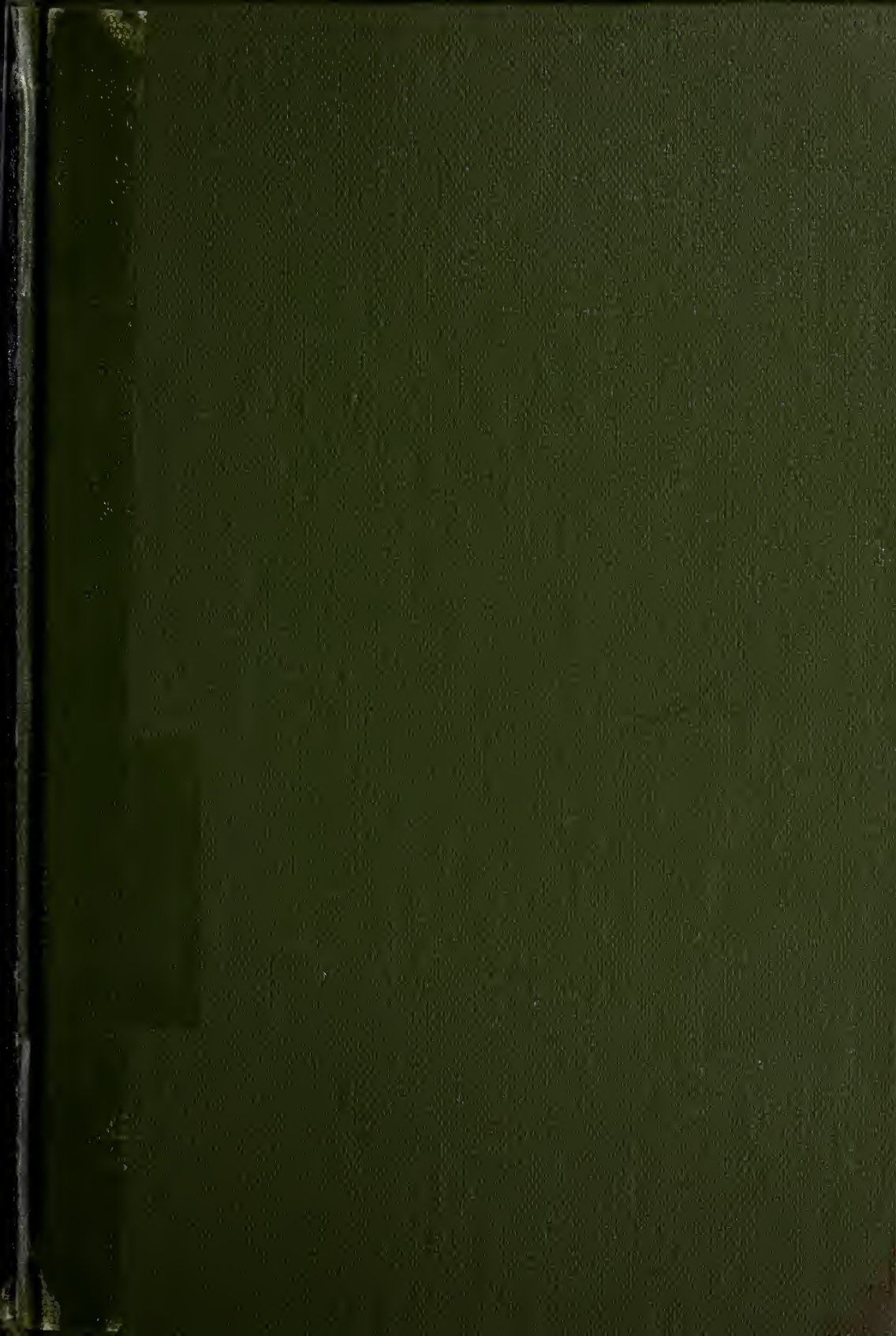




M. L.

Gc
942.4601
St13c
1900
new ser.
v.3
pt.2
1847933

REYNOLDS HISTORICAL
GENEALOGY COLLECTION

✓



Call Number

(Found in
upper left-
hand corner
of catalog
card.)

742.4601

ST13C

Genealogy Department

Seat No. 17 6/05

Author Stafford Reed Soc

Title Collectors



Digitized by the Internet Archive
in 2014

<https://archive.org/details/collectionsforhi32staf>

STAFFORDSHIRE RECORD SOCIETY
COLLECTIONS NEW SER.
VOL. 3, PT. 2 PP. 73-120

ADDITIONS[✓]

TO

THE HISTORY OF THE SWYNNERTONS,

PRINTED IN VOL. VII,

"STAFFORDSHIRE COLLECTIONS,"

BY

THE REV. CHARLES SWYNNERTON, F.S.A.

[Reprinted from "COLLECTIONS FOR A HISTORY OF STAFFORDSHIRE," Vol. XXI.]

THE EARLIER SWYNNERTONS OF ECCLESHALL.

ARMS.—*Argent*, a cross formee flory *sable*, over all a bend *gules*.
(College of Arms.)

THE common ancestor of the Swynnertons of Eccleshall, of both the earlier and the later houses, and in short of all the Swynnertons of succeeding ages, was JOHN DE PARVA SUGENILLA (Little Sugnall), living in the reigns of Richard I and King John.

His real patronymic was "Swynnerton." A generation before it would have been "Fitz-Aelen" (Alan).

His wife was Petronilla de Derueslawe (Dorslow), co-heiress of Dorslow hard by Little Sugnall, and she was the mother of John, his heir.

Reasons for these statements will be given early in the following pages, from which it will be seen that the estate of Little Sugnall, however acquired, and that that of Dorslow, remained with his direct descendants during the whole of the thirteenth century and beyond.

In the Chartulary of Stone Priory near Eccleshall are preserved numerous charters of Robert de Magna Sugnall, and Petronilla his wife, who was one of the three daughters of Engenulf de Gresley and Alina his wife, the lady of Darlaston.¹ No fewer than ten of these charters of King John's time are witnessed by a tenant in Eccleshall named "John de Suinnerton," while twelve of them bear the witness of "Robert de Suinnerton," who was at that period the lord of Swynnerton. The name of the latter, however, stands frequently first on the list, while John's comes near the end, showing that he was only a cadet. That he was of the whole blood and nearly related to Robert cannot be doubted, because it was only in that very generation that the Swynnertons had begun to discard the patronymic "fitz-Alan" in its various forms, and to adopt the manorial cognomen "de Swynnerton."²

¹ See Chartulary in "Staff. Coll.," VI, I, 1-28.

² So Eyton. See "Staff. Coll.," II, 251.

Notwithstanding the relative positions of their names, however, on the attestation clauses of the Priory deeds, the probability is that they were brothers. Their surnames are identical, though their holdings are different, and that circumstance, at that early date, constitutes strong evidence in itself. Nor was it necessary, or even usual, that the name of a younger brother should follow immediately after the name of his eldest brother in an attesting clause, of which fact we have another example in this very Chartulary, where in a deed of A. de Bellocampo, once wife of William Malbanc, the names of William Panton and Norman Panton, the two younger sons of Ivo Panton, Baron of Wem (*ob.* 1175-6), by his second wife Alice, daughter of Norman de Verdon, are separated by the intervening names of Robert fitz Pagan and Ivo de Walton.¹ It is true John de Swynnerton's son, John will have married his cousin-germain Margery (*v. postea*), but such breach of canonical rule (if it was a breach, the law of God not forbidding it) was common enough in those times, when Dispensations were often issued by the Ordinaries, as representing the Pope, on the usual conditions. That Robert and John were also related closely either to the Gresleys or the Sugnalls their frequent attestation of these deeds sufficiently declares.²

But it is a singular fact that, when we leave the charters of the monks of Stone, and turn to the *Curia Regis* Rolls of King John, we do not discover in them the name of John de *Swinnerton* linked with that of Robert de Sugnall, as in the charters. What we do find, however, associated with Robert de Sugnall's name is that of John de *Sugnall*. Instead of Robert de Sugnall and John de *Swinnerton*, we have Robert de Sugnall and John de *Sugnall*. The truth is, the two Sugnalls lay side by side, their boundaries were co-terminous, and litigation between the two tenants was to be expected. It is in John de Sugnall, then, of the Rolls that I detect John de Swinnerton of the Stone Chartulary.

The Pleas of the Crown for the first year of the reign of King John, heard at Lichfield on the 29th September (1199), show that an Assize assembled to enquire if Wimer the father of Reginald had been seised in his demesne, as of fee, of half a virgate of land with appurtenances in Derueslawe (Dorslow) on the day of his

¹ "Staff. Coll.," VI, Part I, p. 19.

² Robert and John de Swynnerton attest deeds of both Petronilla and her sister Dionisia. I am of opinion that Petronilla's first husband, of kin to herself and father of her son *Johannes Bastardus*, was probably one connecting link.

death, which land is held by John de Suggenilla and Petronilla his wife, who say that the said Petronilla has a certain elder sister who holds a moiety of the said half-virgate of land, and that they themselves hold the other moiety. And Reginald says that on the day of view they themselves held the whole of the aforesaid half-virgate, and that afterwards they demised the said moiety to the sister of the said Petronilla.

The suit was finally concorded on the 4th October in the same year, when John, Petronilla, and *Margaret* acknowledged the land to be the right of Reginald, to be held by him and his heirs of them and their heirs by the service of 16*d.* yearly.¹

The suit proves that John de Sgnall had entry into this Dorslow land only in right of his wife Petronilla, and it shows too that Reginald was arrière tenant under Petronilla and Margaret.

(Petronilla de Derueslawe (Dorslow) may have been a daughter of Gamel de Deureslawe who in 35 Hen. II (1188-1189) was fined half a mark for default of appearance of one Suanilda, for whom he had gone bail;² and the grand-daughter of Gamel who witnessed a deed of Ernald fitz-Odo to the monks of Stone in 1136;³ and the great-grand-daughter of Gamel who was slain by Liulf de Audley before 31 Hen. I (1129-1130), for which the said Liulf incurred the enormous fine of 200 marks, 10 deer-hounds, and 10 hawks.⁴ In 31 Hen. I (1129-30) a tenant of Gamel fitz-Griffin owes 40*s.*, a fine incurred in a suit of treasure-trove.⁵ It is more likely, however, that Gamel de Dorslow was arrière tenant.)

Here is another suit. On the Assize Roll of 5 John (1203) four knights, Walter de Witfield, John Sautcheverell, Ralf de Blore, and Ralf de Knutton, are summoned to make recognition between Robert de Suggenhull and John de Suggenhull concerning three virgates of land with appurtenances in Suggenhull, whereupon the said John de Suggenhull puts himself on the Great Assize of the Lord the King for an inquest as to which of the two has the greater right in that land. The Final Concord is not extant, a separate entry merely showing that John de Suggenhille, in order to have it, fined half a mark by the pledge of Osbert de Witindon, the Bishop's seneschal.⁶ Here the case closes. The piece of land

¹ *Curia Regis* Rolls, 1 John, Record Office.

² "Staff. Coll.," Vol. I, pp. 136, 138.

⁴ *Ibid.*, Vol. I, p. 3.

⁶ Assize Roll, 5 John, *ibid.*

³ *Ibid.*, Vol. VI, Part I, p. 23.

⁵ *Ibid.*, Vol. I, pp. 3-10.

in dispute was claimed probably by Robert de Sugnall as a portion of Magna Sugnall, as on the occasion of a similar dispute, perhaps over the same land, in the reign of Edward I. (*See postea.*)

John de Sugnall of the Rolls, if thus identical with "John de Suinnerton" of the Stone charters¹ (as we shall show also from other evidence presently), must have lived through the reign of King John, as he continues to be a witness in the priory Chartulary up to about the year 1216, if not beyond. I suppose him to have died about 1220, and to have been succeeded by a son "JOHN DE PARVA SUGGINHILLE" (II), who in 12 Hen. III (1227) was the defendant in a suit about a tenement in Parva Sugnall.² He it was who must have married Margery, the lady of Swynnerton, sister and heir of Sir Robert de Swynnerton, who died about 1245. She was his cousin, and he obtained with her the manor of Swynnerton, which he transmitted.

That John de Swynnerton, the husband of Margery, came from Eccleshall is proved by the fact that he was a tenant there, for he was the lord of Peshal. And that he was a Swynnerton by blood may be proved, at this stage, in two ways:—

- (1.) By the fact that his grandson Roger succeeded to Swynnerton in 1284 as one of the heirs male to the exclusion of nearer heirs in the female line. Roger de Swynnerton did not descend from Margery at all, but from a former match of John, Margery's husband.³
- (2.) By the testimony of arms. This is a class of evidence which is too much neglected, yet it is safe to say that in tracing the history of families in the thirteenth and fourteenth centuries, it is of the highest importance. John, the husband of Margery de Swynnerton, could never have passed on the Swynnerton arms to a son by a former wife unless he had been himself a Swynnerton. Yet this is precisely what he did. His son Richard de Peshal, and his descendants, bore the Swynnerton arms pure and simple, differenced merely by an escutcheon or canton.⁴ And that Richard was by a former wife and

¹ *John de Suinerton* occurs as chief witness after Hugh Waite in a deed of Cecilia de Freford (? Bereford), daughter of Roger Waite of Rickerscote (*vir.* 1166), which could not have passed later than 1190, and which may have passed earlier. ("Staff. Coll.," Vol. VII, Part I, p. 7.)

² "Staff. Coll.," Vol. IV, p. 37.

³ *Ibid.*, Vol. VII, Part I, pp. 12, 13.

⁴ *Heralds' Visitations.*

not by Margery, the last representative of the right line of the Norman lords of Swynnerton, is proved by the fact that neither he nor his son succeeded to Swynnerton on the death of Sir John de Swynnerton, Margery's only surviving son, without issue, in 1284.¹

John de Swynnerton of Parva Sugnall, of Dorslow, of Peshal, and lastly (on his marriage with Margery), of Swynnerton, had been married, as we have stated, to a former wife. Who was she? A pedigree of the Peshals, in Burke's "Royal Descents," gives her name as Eleanor, and says that she was the sister and heir of Robert the son of Stephen de Peshal in Eccleshall, and with this the evidence available certainly agrees, for John named one of his sons Stephen and another Robert. The history of Peshal, then a divided manor, is also in accord. Thus Chetwynd, the Staffordshire historian, says: "that the whole of Peshall not pertaining to Thomas de Peshall and his sister Dorea,² together with the *royalty*, was purchased by Sir John de Swynnerton, knight, of Robert son of Stephen de Peshall, who sold him all his own lands there, and all too that he had purchased of Thomas son of Thomas de Peshall aforesaid, together with all rents, homages, &c., &c., all which were by Sir John given to a younger son, Richard, who seating himself here assumed the name (of Peshall), and was progenitor of that family, which in succeeding ages rose to very great eminence and esteem in this and neighbouring counties."³

Erdeswick, writing in 1600, gives the actual deed, thus:—

"Ego Robertus filius Stephani de Peshale dedi &c. domino Johanni de Swinerton totam terram meam in Peshale cum domibus redditibus servitiis homagiis wardis releviis et escaetis et totam terram quam emi de Thome filio Thome de Peshale"—(and then the

¹ Staff. Coll., Vol. VII, part I, p. 12.

² Observe—

8 Ed. I.—*Thomas de Peshale* sued William de *Sogenhulle* and Dora his wife for a debt of £100.

9 Ed. I.—*Thomas de Goldene* sued William de *Sogenhulle* and Doreya his wife for a debt of £100.

("Staff. Coll.," Vol. VI, p. 105, and Vol. VI, p. 120.)

This Thomas was Thomas son of Thomas de Peshale. (*Ibid.*, p. 132.)

11 Ed. I, Mich., *Staff.*, Roger bishop of C. and L. has licence of concord with William de *Peshale* and Doreia his wife in a plea of warranty of charter. (Vol. VI, p. 131.)

Here Thomas de Peshale and Thomas de Goldene are identical, and so are William de *Sogenhulle* and William de *Peshale*.

³ From the Chetwynd MSS. *pene*s the Earl of Shrewsbury.

testes to the deed)—"Sir Robert de Knightley, Sir Rob. de Bromley, Sir Philip de Mutton, Reg. de Charnes, Thos de Titnesoure, Ico de cadem, Robto de Joneston et aliis."¹

Lastly, Sir John de Swynnerton's arms, as given in the College of Arms, was the Swynnerton cross flory, surmounted by a shield of pretence for Peshal.

John de Swynnerton had other sons by his first wife besides Richard de Peshal, namely:—

1. "John de Sugghenhull" (III). It was in accordance with a fixed rule in the family, as in many other feudal families, that in all senior branches the eldest son should be named after his father. It was so among the Norman lords of Swynnerton, among the Swynnertons of Isewall, and those of Hilton, just as in the junior branches, the Swynnertons of Whitmore and of Butterson, the heir was invariably named after the grandfather. John de Sugghenhull then was the eldest, and his father must have given him Parva Sugnall during his lifetime, probably after marrying his second wife. John married Alditha, daughter and co-heiress of Adam de Bures, but he must have died comparatively early without issue, as Parva Sugnall seems to have gone to a younger brother, Robert.—

On the 27th January, 1248, there was a final concord at Lichfield between Felicia, daughter of Adam de Bures, Thomas de Chatkulum and Sarra his wife, Richard de Boys and Basilia his wife, Nicholas de Chatkulum and Avice his wife, *John de Sugghenhull* and *Alditha* his wife, on the one side, and Vivian de Standon on the other, concerning twelve acres of land in Standon. Vivian acknowledged the land to be the right of Felicia, Sarra, Basilia, Avice, and Alditha, forever. ("Staff. Coll.")

¹ Erdeswick's MSS., British Museum, p. 26. The whole of the persons who figure in this deed can be shown from the Plea Rolls to have been living early in Henry III., and the authenticity of the deed cannot be questioned. It is also worthy of note that Thomas de Peshall is sometimes named in the Plea Rolls "Thomas de Golden." Compare "Ormus de Gulden" of Erdeswick, the grandfather of Alina, who in a deed quoted in Ward's "Stoke-upon-Trent" styles herself "Lady of Darlaston."

2. "Robert de Swynnerton." A comparison of the following extracts forms my reasons for thinking that he succeeded John de Parva Sugnall III, and, at the same time, completes the foregoing argument of origin and descent:—

(a.) In 1266 Robert de *Suggenhull* and Thomas de Pessale were admitted to the King's peace by the Sheriff through the Bishop of Coventry and Leichfield, as having made their submission after the rebellion of Simon de Montfort.¹

(b.) About 1270 "*Robto de Sugenhull*" is a name attached to an original deed at Charnes, together with "*Thom. de Derueslowe*" and "*Stepho de Slyndon*." [By *Suggenhull* we must understand Parva Sugnall, as Magna Sugnall was then held by Stephen de Swynnerton in right of his wife Joan, daughter and heir of Roger de Waure, who had acquired it from Robert de Magna Sugnall of King John's time.]

(c.) In 1272, 56 Hen. III, Robert de *Swynnerton* had a dispute with Richard de Whytefeld (of Eccleshall) in the manor-court of Swynnerton, and received from him a wound from a knife, whereupon he killed his assailant, and fleeing for sanctuary to Swynnerton Church he acknowledged the deed before the coroner, and abjured the kingdom. It was subsequently shown, however, that he had died from his wound.² This was in 1272. His estate must have passed into the hands of the Sheriff for a year and a day, and in 1274, 3 Ed. I, "*John de Parva Sogenhulle*" (IV) witnesses a deed now in original at Charnes, as well as other deeds ranging from 1272 to 1309, in some of which he appears as "*John de Sugenhull*" simply.³

(d.) In 8 Ed. I (1279), August 24th, an assize was held to decide if John de *Parva Sugenhull*, Cecilia his mother,⁴ and others named, had unjustly disseised

¹ "Staff. Coll.," Vol. VIII, p. 118.

² *Ibid.*, Vol. IV, p. 212.

³ Deeds at Charnes *penes* the Rev. G. Vernon Yonge.

⁴ This Cecilia was a daughter of John lord of Charnes, and sister of Reginald his son and successor. She was sister also to Juliana (occurring 1271), who married Roger de Broughton *alias* de Napton, also an Eccleshall tenant. (From an

Nicholas son of Simon de Aspelegh and Avice his wife of an acre of land in Great Sugnall. John answered for all the defendants, and stated that the land in question was in *Little Sugnall* and not in Great Sugnall, and if it was decided that the land was in Great Sugnall, he added that ROBERT *his father* had died seised of it.¹

(e.) In 1292, 21 Ed. I, some unknown malefactors broke open the mill of Staundon, and killed Roger de Dereslowe (Dorslow), and fled. Hue and cry of the men of Eccleshall being raised, one of the malefactors, Robert le Porcher, fleeing the King's peace, was beheaded. Philip, son of Hamon, the finder, is not suspected, but, not appearing, is attached by two Eccleshall tenants, JOHN SON OF ROBERT DE SWYNNERTON and Robert Overy of Walford.²

There was no John son of Robert de *Swynnerton*, then a tenant in Eccleshall or anywhere else, unless he was John son of Robert de *Parva Sugnall*. That the father's name is mentioned so long after his death was in accordance with a prevailing custom, serving in this case to distinguish John son of Robert de Swynnerton of Parva Sugnall from John son of Stephen de Swynnerton of Magna Sugnall. It was fitting too that the finder should be attached by John de Swynnerton, for Roger de *Dorslow* must have been one of his tenants, if not his own brother.

The extract just quoted is the key to the whole position, proving as it does that the manor of Parva Sugnall had descended in ordinary course to the direct posterity of John de Suggenhull of 1199, and completing the chain of evidence by which I have shown that the ancestor of all the Swynnertons of the thirteenth and succeeding centuries was the aforesaid "John de Suggenhille" of the *Curia Regis* Rolls of 1 John, *alias dictus*, "John de Suinnerton" of the Chartulary of the monks of Stone.

(f.) A quotation from Erdeswick will crown the general

inspection of the original deeds at Charnes.) Among those deeds there is one beginning—"Sciant omnes &c. quod ego Cecilia relicta Roberti de Parva Sugenhull." (No date.)

¹ "Staff. Coll.," Vol. VI, Part I, p. 146.

² Assize Roll, 21 Ed. I, m. 24.

argument :—"Little Sugnal and DORSLOW hard by were holden by John de Parva Sugenhull of the bishop by *octavam partem feodi*. 24 E. I."¹

Here we have Little Sugnall and Dorslow rated together as one-eighth of a knight's fee. They are one inheritance. The heir of the one is also the heir of the other. Petronilla and Margaret in the time of Richard I, and K. John, were evidently then the co-heirs of both places. Margaret, having no children, grants her rights in both to her sister Petronilla and her husband John. John, Petronilla's husband, in pleas of land, is naturally and properly described by his territorial designation—"John de Parva Suggenhille." In his purely personal character, as a witness to deeds in the Stone Chartulary, he describes himself just as naturally and properly by his true patronymic—"John de Suinnerton."

Of John's other sons by his first wife there were—

3. Stephen concerning whom and whose descendants we will treat presently.
4. Nicholas. That there was such a son I have no doubt whatever. He was known as "Nicholas de Aspley," as Stephen de Swynnerton was sometimes known as "Stephen de Aspley." He became a monk, and rose to the position of prior of St. Thomas of Canterbury near Stafford. He was one of the three executors of the will of (his step-mother) Margery, lady of Swynnerton, the relict of (his father) John, of Eccleshall and Swynnerton.²
5. (Simon de Aspley may also have been a son. The Swynnertons were probably not all supporters of de Montford, though the memory of that hero was long cherished in many a household in the baptismal name Simon. The name Simon was also largely in vogue in the twelfth century, and one Simon fitz-Alwin, who was amerced 2 marks for a *novel disseisin* in 33 Hen. II (1186), was doubtless a Swynnerton. Simon de Aspley had a son Nicholas, nicknamed "the Fisher," who had been enfeoffed in part of the Sugnall lands. His son William married Dorea, daughter and heir of Thomas de

¹ Erdeswick, Add. MSS., Brit. Mus., p. 61.

² The *Liber Albus*, Lichfield.

Peshall, so that he is sometimes known as William de Sugnall, and sometimes as William de Peshall—another example of the confusion in personal names prevailing at the period. William had another son William, who was slain.)¹

But we must follow the fortunes of the second son of Sir John de Swynnerton:—

STEPHEN DE SWYNNERTON is known also as Stephen de Uselwall (Isewall), Stephen de Aspley, and perhaps also as Stephen de Slyndon. He was the ancestor of the earlier Swynnertons of Isewall, and owed his advancement in life to his marriage with Joan, daughter and heir of Roger de Waure of Eccleshall, who brought him Great Sugnall, Isewall, and possessions at Aspley and Slyndon, all in the Bishops' Liberty of Eccleshall.

Uselwall, Isewall, Isewell, or Eyeswell² as it is now called, was an estate, now reduced to a field of four acres, by the town of Eccleshall, at present in the possession of the writer, a direct descendant of Stephen de Swynnerton and Joan de Waure. The name appears to have arisen from a little perennial spring traditionally said to be good for sore eyes. This spring still exists. It fed the now drained moat of the old house of Isewall, in which the Eccleshall Swynnertons lived for centuries, but which stands no longer. This mansion was one of the three burgages in Eccleshall belonging to Roger de Waure in 1225, to which right of housebote, haybote, and firebote in the Bishops' forests pertained, as fully appears in Bishop Alexander's charter of that date, which is quoted, *in extenso*, in a suit of 45 Ed. III (1376), by which Humphrey de Swynnerton of Isewall sought to recover his forest-rights against Robert, Bishop of Coventry and Lichfield.³ Roger de Waure was in high favour with Bishop Alexander and his predecessors in the reigns of Richard I and John, holding some important office under them, probably that of Seneschal, as the charter plainly sets forth, and acquiring large estates duly enumerated therein.

Stephen de Swynnerton appears to have been a great friend and companion-in-arms of his half-brother John de Swynnerton,

¹ "Staff. Coll.," VII, 166.

² *Wall*, a spring of water, from base *wal-a* (A.S. *weall-an*, to spring up); Teutonic base, *wall* to well up (Skeat). To the well of Isewall came people with sore eyes from time immemorial.

³ Plea Rolls, Staff., 50 Ed. III, Easter, m. 124.

Margery's last surviving son, and lord of Swynnerton from 1267-8 to 1284.

In October, 1265, Stephen de *Uireswell* (*Isewall*), John de Swynereston (Swynnerton), and Henry de Swynereston, together with William de Trumwyne and many others, chiefly of Eccleshall, were impleaded by Odo de Hodenet for having entered the manor of the said Odo, during the disturbances in the kingdom, and taken away his goods and chattels. The defendants did not appear, and the Sheriff was ordered to distrain them, etc., and produce them at Hillary.¹

The John de Swynnerton mentioned in the foregoing was the lord of Swynnerton, and his interest in the manor of Hodnet is an item in the history of the times too interesting to be passed over :

In the time of Richard I, Odo de Hodynnot enfeoffed Robert de Swynnerton, lord of Swynnerton, in three carucates of land at Peplow, a member of Hodnet, of which Robert was in seisin in 1203.² Robert de Swynnerton dying in 1224 the right descended to his son Robert, and by a fine dated 25th November, 1231, Ralph fitz Odo (de Hodnet) as tenant surrenders three virgates of land and a mill in Peplow to Robert de Swynnerton for an annuity of 40s., receivable half-yearly at Swynnerton. This Robert de Swynnerton was the last of his house in the right line male, and these rights therefore went to his sister's husband Sir John de Swynnerton, who transmitted them to their son Roger, who dying without issue left them to his brother John above-mentioned. This John de Swynnerton, who had raided the manor of Odo de Hodnet during Simon de Montford's rebellion as above noted, made a fine with Richard de Hodnet in 1284 by which his paternal interest in Peplow as aforesaid passed on his death without issue to the said Richard de Hodnet.³

To return to Stephen Swynnerton of Isewall, Aspley, and Sugnall :

In 53 Hen. III (1269), on the 20th May, before the King, Richard Brun appeared against Robert Cotes, Simon Burgilon, Adam le Fevre of Swynnerton, and six others, for having come to his house at Eston, and taken from him *vi et armis* 13 marks

¹ "Staff. Coll.," Vol. VII, Part I, p. 9. Staffordshire generally was with King John; but Erdington, the Sheriff, names Baldwin de Hodnet as one of the most disaffected. (Vol. II, 170.)

² Eyton's "Shropshire." Also suit Ludlow v. Hodnet, 42 Ed. III, Plea Rolls, *De Banco*, m. 385.

³ *Ibid.*

in money, and a horse of the value of 6 marks, etc. Defendants did not appear, and the Sheriff was ordered to distrain them, and returned that John, lord of *Somerton* (Swynnerton), and *Stefanus de Aspele* stood bail for Robert de Cotes.¹

In a Standon deed, No. 8, in original, at the Stafford Library, which must have passed about 1272, John, lord of Swynnerton, and Stephen his brother ("*His testibus Johanne domino de Swinnerton Stephano fratre ejus*" etc.) are the principal witnesses. This deed concerns a concession of lands in Chorlton, a member of Eccleshall, from Robert son of Simon de Chorlton to William son of Robert de Cotes.

In three deeds among the charters of Mr. Vernon Yonge at Charnes in Eccleshall, which must have passed not later than 1270, Stephen de Swynnerton appears as "Stephen de Espley" (Aspley), "Stephen de Espeleye," and "Stephen de Slyndon."

In 3 Ed. I (1275), on the Monday next before the Feast of St. Bartholomew (*i.e.* 22nd August), Stephen de Swynnerton occurs as a juror in an inquisition taken at Stafford, as well as in a suit tried at the Bishop's Court at Lichfield.²

In the same year Agnes, the widow of John de Wytemor, sued Stephen de Swynnerton for one-third of a messuage and two bovates of land in Cherleton (Chorlton), and Roger de Burgilon for one-third of a messuage and ten acres of land in Wytemor as her dower. The defendants claimed a view, and subsequently called to warranty the heir, namely, John son of John de Wytemor, etc.³

It is of importance that we should note that according to this entry, while Roger de Burgilon had become possessor of a messuage and ten acres of land in Whitmore, Stephen de Swynnerton had purchased a messuage and two bovates of land in Chorlton, for both call to warranty the heir of John de Whitmore, the former tenant. This was perhaps the estate held *temp.* Ed. III by Richard de Swynnerton the Palmer, and it was sufficiently extensive to justify a new name "de Chorlton" to Stephen or his successor. Of this manor the priors of St. Thomas of Canterbury near Stafford were the mesne lords.

On the Sunday after the Ascension, 4 Ed. I (17th May, 1276), John de Swynnerton and Stephen de *Uselevalle* are two

¹ "Staff. Coll.," Vol. IV, p. 172.

² *Ibid.*, Vol. VII, Part I, p. 12.

³ *Ibid.*

of the jurors at the inquisition taken after the death of Henry de Audley. (He had been killed by a fall from his horse in Ireland.)¹

Stephen de Swynnerton must have died within a year of this date. His eldest son Roger inherited half Great Sugnall, and probably Isewall also; but if so, he must have given Isewall to his younger brother John when he himself succeeded his uncle John in 1284 as lord of Swynnerton, concerning which and his successors Canon Bridgeman has written at length in his "History of the Swynnertons." ("Staff. Coll.," Vol. VII.)

But the two bovates of land and the messuage which his father acquired from John de Whitmore in Chorlton must, I think, have come to John too, if at least he is the John de Chorlton referred to in the following:—In Trinity Term, 18 Ed. I (1290), Roger de Swynnerton was attached to answer the plea of Robert Chell, that he, with *John de Cherleton*, James de Hayton, William son of William de Cherleton, and Gilbert de Swynnerton had ill-treated, taken, and imprisoned at Swynnerton the said Robert de Chell, etc.²

JOHN DE SWYNNERTON OF ISEWALL.

In a feodary called Kirby's Quest,³ compiled in 1284 or perhaps a little earlier, we read that Great Sennhall (Sugnall) was then held by Roger and John, the sons of Stephen (de Swynnerton) de *Aspley*, who held it of John Muriel who held it of the Bishop by the service of one-fourth part of a knight's fee.

In 12 Ed. I (1283-4) John, son of Stephen de Swynnerton, gives 20s. for a writ of *ad terminum*. In 19 Ed. I he fines for a writ of *pone*.⁴

In 15 Ed. I (1286-7) Justices are appointed to take the assize of novel disseisin which John son of Stephen de Swynnerton

¹ *Inq.*, p.m. 4 Ed. I, No. 50. *Inq.* 4 Ed. I, 1275-6. *Henry de Audley*. Two of the jury—John de Swynnerton and Stephen de *Uselewall*. This Henry de Audley had rents of assize in *Newcastle*, and of the mill of Chauldon.

² Stephen probably left other sons also, namely, Adam de Sugnall, and Richard, Hugh, and Henry de Chell. Richard was probably in orders, and the parson of Swynnerton who occurs in 6, 7, and 8 Ed. II (1312-1314).

³ John Kirby, Bishop of Ely and treasurer to Edward I, died in 1290. It was in June, 1282, that he was sent by the King to obtain a subsidy from the shires and boroughs. (Stubbs.)

⁴ "Staff. Coll.," Vol. VII, Part I, p. 13. A writ *ad terminum* was when land had been leased for a term of years, or for a life or lives, and the term had expired. A writ *pone* was one for transferring a suit to the higher court at Westminster.

arraigned against Roger (de Meuland), Bishop of Coventry and Lichfield, concerning tenements in Eccleshall.¹

In 20 Ed. I (1292-3) John de Swynnerton appeared against Roger de Meuland, Bishop of Coventry and Lichfield, concerning tenements in Eccleshall.²

By deed without date, but which must have passed between 1290 and 1299, Roger, Bishop of Coventry and Lichfield, conceded to John de Swynnerton and his heirs housebote and haybote, and a reasonable supply of dead wood for his hearth, out of his forest of Blore.³ Witnesses—Nich. de Audley, William de Mere, etc.

In 23 Ed. I (1295) John de Swynnerton, William de Mere, and others were in the retinue of Nicolas de Audley in the expedition into Wales. Letters of protection were dated 27th April.⁴

In 25 Ed. I (1297) the King sent to the Justices a writ in these words:—Here follow letters of protection for Nicolas de Alditheley (Audley), Robert de Standon, Roger de Swynnerton, John de Ebroicis (Devereux), Roger le Burgelun, John de Swynnerton, and Richard de Chetelton, who by the King's command, and in his retinue (*cum rege*), were about to set out for parts beyond sea, to last for a year. Dated at Sevenoaks, 5th August.⁵

The former of these two extracts refers to Edward's third Welsh war, which occupied him until May, 1295, when he captured Madoc and returned to London. The second refers to his expedition into Flanders against the French. He embarked on the 22nd August, 1297, and returned in March, 1298. Roger de Swynnerton, lord of Swynnerton, never lived to return, as he was dead by February. It is to be noted that both brothers were in the train of the King, and as they were also under the banner of Lord Audley, they must have been Audley tenants. Roger, in fact, was Audley's sub-tenant at Great Chelle, and John had probably a holding in the Liberty of Newcastle, of which the Audleys had purchased the rents of assize.

In 31 Ed. I (1302-3) John de Swynnerton sued Katrine, formerly wife of Nicholas de Alditheleg (Audley), and James de Stafford, for a sum of £40 which they owed him. By W. Howard.⁶

¹ Patent Rolls, 15 Ed. I, m. 10.

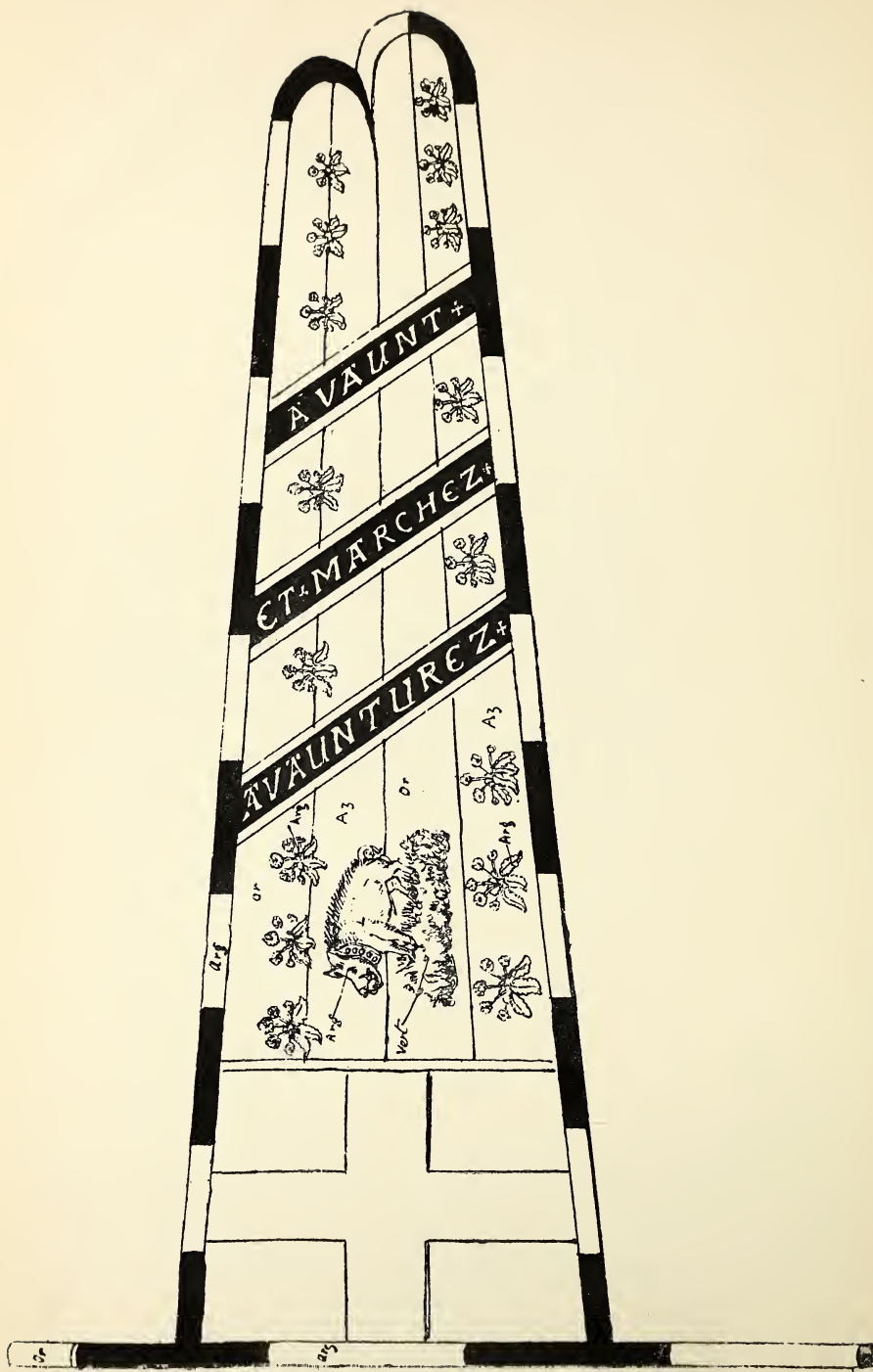
² *Ibid.*, 20 Ed. I.

³ "Staff. Coll.," Vol. VII, Part I, p. 13.

⁴ *Ibid.*, Vol. VIII, p. 16.

⁵ *Ibid.*, Vol. VIII, p. 44.

⁶ Banco Roll, Trinity, m. 140. This W. Howard, a Judge, is the unknown ancestor of the Dukes of Norfolk.



In 33 Ed. I (1304-5) there was a suit between Adam le Bedel and John de Swynnerton concerning tenements in *Great Sugnall*.¹

In 34 Ed. I (1306) John de Swynnerton had letters of protection as being in the retinue of Thomas, Earl of Lancaster, in the war in Scotland. Dated Westminster, 6th June.²

John de Swynnerton was there as a *serviens*, i.e. a squire or serjeant-at-arms, mounted and equipped in all points like a knight, but without the rank. This notice proves him to have been a tenant of Thomas, Earl of Lancaster, and his holding was probably in the Earl's manor of Newcastle. He would have been differenced in the field by the Swynnerton coat—a cross flory *sable*, debruised by a bend *gules*—(which in subsequent times was assumed by the later Swynnertons of Isewall), a bend *gules* being one of the earliest differences in Heraldry, pertaining to the reigns of Hen. III and Ed. I.³ And his motto will have been, not *Avanturez, et marchez avant*, which was the knightly motto of the Head of the family at Swynnerton,⁴ but *Avancez et archez bien*, a motto which has descended to his present representatives, and which indicates a race of squires and of mounted archers, not knights. Neither John de Swynnerton of Isewall nor his son was a knight, nor were any of the subsequent Swynnertons of Isewall.

John de Swynnerton's suit against Katrine, relict of Nicholas de Audley, recurs at Michaelmas, 33 Ed. I (1305), and in the same regnal year (1306) John de Swynnerton stated that she had bound herself to him for that sum on the Saturday after the Feast of St. Matthew, 29 Ed. I (1301), to be repaid by instalments of 10 marks at Newcastle-under-Lyme, and he produced her bond. Katrine appeared by attorney and acknowledged her bond, for which John remitted his damages and £10 of the debt. John is therefore to recover £30.⁵

In 1 Ed. II (1307), according to a presentment made by a jury in 1323, John (de Swynnerton) of *Uswall* appears to have been concerned in the death of Henry de Salt of Stafford, the names of the Swynnerton faction being given in the following order:—Roger de Swynnerton, knight, John de Swynnerton, knight (of Hilton), Richard de Swynnerton, Stephen de Swynnerton, *John de Uswall*, Nicholas de Swynnerton, parson of the church

¹ Patent Rolls.

² "Staff. Coll.," Vol. VIII, p. 27.

³ See the contemporary Norman-French roll of the siege of Caerlaverock, where a bend debruising the paternal arms for younger branches of noble families is in full vogue.

⁴ College of Arms.

⁵ Banco Roll, 33 Ed. I, m. 201.

of Moccleston, Richard de Whethales, John de Whetales, Richard de Chelle, Henry de Chelle, Robert de Aston near Stone, and many others.

In 2 Ed. II (1308), "John de Swynnerton of Eccleshall" has a suit against John son of Simon de Aspley and others concerning tenements in Magna Sugnall.¹

In 4 Ed. II (1310), at the general proffer of knight-service to the King, taken at Twedemouth before Sir Bartholomew de Badlesmere, Lieutenant to the Constable of England, and Sir Nicholas de Segrave, Marshal of the King's host, Thomas, Earl of Lancaster, acknowledged the services of six knights' fees for all his lands in England, to be performed by Roger de Swenerton, John de Twyford, Peter de Lemeseye, and William Trussell,² knights, and John de Swenerton, John de Nortle (? Norton), Richard de Lymsey, and Roger de Kent, sergeants, with barded horses.³

Here again we have evidence that Roger de Swynnerton who, as lord of Swynnerton, was a vassal of Lord Stafford, and that his uncle John who, as a tenant in Eccleshall, was a vassal of the Bishops, were vassals also, by virtue of holdings elsewhere, of the Earls of Lancaster. These holdings were, in part at least, Chell, which, as a member of the seignory of Wolstanton, was held by the Earl of Lancaster, and of him by the Audleys, and of them by the Swynnertons, and part also in the Earl's manor of Newcastle-under-Lyme, especially Whitmore and Knutton, members of that manor.

We now come to a curious note by Walter Chetwynd, the Staffordshire antiquary of the seventeenth century, which is quoted by the Hon. the Rev. Canon Bridgeman in his "History of the Swynnertons." It runs thus: "Between Scabridge and Hanchurch there is a little village where there are two ancient families, the one of the Swinnertons and the other of the Buttertons." And in speaking of the former Chetwynd adds: "John de Swynnerton purchased all the lands there of William Badkin of Fulford in 7 Ed. II" (1313).

¹ "Staff. Coll.," Vol. X, p. 54.

² This must have been the Sir William Trussell who, as proctor of the Estates of the Realm, proclaimed to Edward II in Kenilworth Castle, in 1327, his deposition. It is noteworthy that three branches of the Trussells bore the Swynnerton coat differenced by *gules* for the cross flory instead of *sable*, and that one branch of the Swynnertons displayed the same difference. (Glover and Edmondson.)

³ I do not understand this entry, unless it speaks only of lands *outside the Honour of Lancaster*.

The "little village" here referred to can only be Butterton itself, and must be identical with "a certain little village of Newcastle (meaning of the Liberty or Manor thereof) which is of the territory of the parish of Trentham,"¹ mentioned in a charter of Roger de Weselham, Bishop of Coventry and Lichfield, between 1245 and 1256, which gives a detailed list of all the ecclesiastical appurtenances of Trentham, of which appurtenances this "viculus" was one. From this charter it would seem that anciently (whatever it may be now) Butterton was a hamlet of the parish of Trentham, and yet lay within the bounds of the royal Liberty of Newcastle-under-Lyme, and was subject therefore to the *Magna Curia*, or general manor-court, which periodically assembled at the borough of Newcastle.² It was, in fact, a member of one of the lesser manors comprised in the Liberty. But of which of them? The following extract will prove that it was of the fee of Whitmore, if not wholly, at least in part:—

By deed enrolled, dated from London on Thursday the Feast of St. Catherine (25th Nov.), 13 Ed. III (1339), and witnessed by John de Delves, Ralph Burgynion and others, John son of William de Bromley releases to William de Bromley, clerk, his brother, all the rights he had to lands and tenements, etc., which the said William held of his enfeofment in *Butterton within the demesne of Whitmore*.³

It is not certain who the John de Swynnerton mentioned by Chetwynd was. He may have been Sir John de Swynnerton (I) of Hilton, the Seneschal of Cannock Forest in right of his wife Anne de Montgomery, as surmised by Canon Bridgeman. In the absence of evidence, however, he may just as likely have been the latter's uncle, John de Swynnerton of Isewall, of whom we are now treating. Extracts will be given presently which would seem to support the latter theory. I strongly suspect, however, that Chetwynd is mistaken in his date, and that for "7 Edw. II," we must read "7 Ric. II." My reasons for this suspicion will be found in my account of "Some Forgotten Swynnertons of the 14th Century."

¹ The passage runs thus:—"Trentham cum omnibus pertinenciis suis scilicet Berlaston Betteleye dimidiam Baltredeleye quidam viculus Novi Castelli qui est de territorio parochie de Trentham," etc. ("Staff. Coll.," Vol. XI, p. 303.)

² By *Inq. temp.* Hen. III without date the pasture in Boterton belonging to the King's manor of Newcastle was valued at 2s. (*Inq. at Stafford.*)

³ "Staff. Coll.," Vol. XI, p. 97.

Extremum 7 de de
 a complete in see way to trace the history of the 14th century, as 5th. Coll. Vol. for 19

In the Spring of 5 Ed. II (1312) occurred the first rebellion of the King's cousin-germain, Thomas, Earl of Lancaster, which resulted in the capture of Piers Gaveston at Scarborough Castle, and his summary execution on Blacklow Hill on the 19th June. Nicolas de Audley was one of the ring-leaders on that occasion, and he was attended by John de Swynnerton of Isewall, the *serviens* of Thomas, Earl of Lancaster, mentioned in a previous paragraph, who therefore is the "John" of the following pardon:—

In 7 Ed. II (1313), on Oct. 16th, John de Swynnerton and Roger de Swynnerton with many others received the King's pardon for having been present in arms, with Thomas, Earl of Lancaster, when Piers Gaveston was beheaded on Blakelow Hill. John's name precedes that of Roger, though he was only a squire, but on the other hand he was Roger's uncle and a veteran.¹

In the same year (1313), on the 13th May, five months before the issue of the pardons, John de Swynnerton had letters of protection to go to parts beyond the sea in the retinue of John de Cherleton, a great lord who had married the heiress of the last Welsh Prince of Powis.² The two entries—this and the former—cannot possibly refer to the same John de Swynnerton. The rebel was in disgrace, at any rate up to the 16th October, whereas the other was in favour, for he was with Edmund de Mauley, the Steward of the King's household, being part of the suite of the King into France, whither he went that year with his Queen and a great following on May 23rd, for the coronation of the King of Navarre at Paris. John de Swynnerton of *Hilton* was then a young knight, holding of the King *in capite*, and, as we shall show, he remained firm in his allegiance throughout both rebellions, and it was he, not John de Swynnerton of Isewall, who went with King and Queen to France. The latter was then languishing in prison.

In 8 Ed. II (1314) John de Swynnerton (of Isewall) granted to Walter, Bishop of Coventry and Lichfield, a croft in Eccleshall, which Adam le Flechere formerly held, called Doggescroft, a piece of land called Grymeshalgh, and other places, the witnesses being John de Hastang, Roger de Swynnerton, Thomas de Halghton,

¹ Rymer's *Foedera*. Also "Staff. Coll.," Vol. VIII, p. 31.

² *Ibid.*, Vol. II, p. 12.

knights, Adam de Whetales,¹ and others. The opening words of the quit-claim run thus: "Inasmuch as for a long time a dispute and an altercation had existed between the lord Walter, bishop of Coventry and Lichfield, of the one part, and me, *John de Swynnerton, lord of Isewelle*, of the other."²

This Bishop was Walter de Langton, the great finance minister of Edward I and Edward II. He became the Royal Treasurer in 1295, and Bishop of Lichfield in 1296. In 1301 he was suspended on a charge of adultery, concubinage, simony, and intercourse with the devil, but the Pope acquitted him, and Edward restored him. He was Bishop until 1322. One of the most powerful and unscrupulous men of his day, all through his episcopate he amassed wealth from every conceivable source for his new shrine of St. Chad, which he built at a cost of £2,000, the new Lady Chapel, his new palace, a great precinct wall, and his other princely additions to the cathedral at Lichfield, as well as for his improvements to his castle of Eccleshall.

In the same year (1314) John Peche had a suit against Roger de Swynnerton and John de Swynnerton *senior*, each for a debt of £20.³

The campaign in Scotland, notorious for the rout of Bannockburn, occurred in 1314, the battle being fought on June 24th. Thomas, Earl of Lancaster, had refused the summons. All the Audleys however were there, viz. Hugh, senior; Hugh, junior; James son of James; and Nicolas de Audley. And John Swynnerton of Isewall, as usual, must have followed the Audley banner. And he probably did good service in that campaign, otherwise it is not possible to explain why he rose at once to favour, as the following testifies:—

In March, 1315, the King granted to John de Swynnerton of Eccleshall that he and his heirs forever should have right of free-warren in all his demesne lands at Sogenhall in co. Stafford. Dated at Westminster, 8th March, *by the King himself*.⁴

In the same year he was murdered, when his age could scarcely have been over fifty, as his elder brother Roger was a minor in 1278. On the 4th October, 1315, Justices were appointed by the King

¹ Adam de Whetale, *alias* de Peshale. His son Adam was indicted for the death of the granton's son John in 1337. See *infra*.

² *Liber Albus* de Lichfield, p. 129.

³ "Staff. Coll.," Vol. IX, p. 51.

⁴ Charter Rolls, 8 Ed. II.

to inquire who the malefactors were who had maliciously slain John de Swynnerton at Eccleshall.¹

In the same year Gilbert Cotsmere, Robert Fisher, Thomas Porter, and Geoffrey Gilberdesman were lodged in Stafford gaol for the murder of John de Swynnerton, but Fulk le Strange, William Trussell senior, and William Stafford were appointed to set them at liberty.²

JOHN SON OF JOHN DE SWYNNERTON of Isewall succeeded in 1315.

The Scotch Roll of 11 Ed. II (1317-18) shows that Hugh de Audley senior was serving that year in the marches of Scotland, and that James de Audley, afterwards to be so famous, was in his retinue. The Letters of Protection mention a John de Swyner-ton and a John de Swinerton, one of whom should be John de Swynnerton of Isewall.

In 14 Ed. II (1320), at Michaelmas, Agnes, formerly wife of Robert de Knotton, sued Hugh Doucesone for a third of ten acres of land and four acres of meadow in *Knotton*, and William Baly for a third of three acres, and James de Audley for a third of two acres and 2s. rent, and William de Mere for a third of 10s. rent, and she sued John le Burgoynton and *John son of John de Swonnerton* for a third of an iron mine in the same vill, which she claimed as dower.³

At the same time Agnes, formerly wife of Robert de Knotton, sued Thomas Baban and Margaret his wife for a third of a messuage and two acres of meadow in Knotton, and she sued Richard Lagon for a third of six acres of land, and William de Snede for a third of three acres, and William son of Nicholas de Thiknes for a third of 22*d.* rent, and *John son of John de Swonnerton* for a third of two parts of a mill in the same vill, which she claimed as dower.⁴

Earlier in the volume we find John le Burgoynton sued by Margaret the relict of John de Arden for one-third the manor of Knotton, excepting a water-mill and a mine—evidently the mill and the mine mentioned in the two previous pleas as held by John le Burgoynton and John de Swynnerton.⁵

¹ Patent Rolls, m. 20, *in dorso*, 8 Ed. II.

² *Ibid.*, m. 8.

³ Plea Rolls, *De Banco*, m. 314, *dorso*, quoted p. 82, Vol. IX "Staff. Coll."

⁴ *Ibid.*, m. 158 *dorso*, ("Staff. Coll.," Vol. IX, p. 83).

⁵ *Ibid.*, Vol. IX, p. 55.

John le Burgoynon or Burgylon was thus in seisin of the manor of Knutton. He was lord also of Clayton, and had lands and tenements in Whitmore, where the Burgulons appear to have resided. All these, in the manor of Newcastle, were held under the Earl of Lancaster.

When Thomas, Earl of Lancaster, again revolted in 1321, the Audleys, including Hugh de Audley who had married the King's niece, also revolted with him. Roger de Swynnerton of Swynnerton and John de Swynnerton of Hilton remained firm in their allegiance, being governors of royal castles; in fact, it was during that crisis that Roger had the custody of the Tower, while the latter was Sheriff also of cos. Stafford and Salop. Not so John de Swynnerton of Isewall, however, who again followed the fortunes of the house of Audley. Towards the end of February, 1322, the Earl, being then in retreat towards the north, made an ineffectual stand at the bridge of Burton, and there John de Swynnerton of Isewall, with many others, was taken prisoner. The battle of Boroughbridge was fought on the 16th March, and Thomas, Earl of Lancaster, in his turn summarily beheaded just outside his own castle of Pomfret. Many others were hanged, and many merely suffered fine and imprisonment. Among the latter was John de Swynnerton of Isewall. His life was spared on the payment of a fine of £40, and he was discharged from prison, having taken oath and given security for his good behaviour, and promised that he would loyally serve the King in his wars. His bond and recognizance were dated at York, 11th July, 16 Ed. II (1323).¹

In 17 Ed. II (1323) the Hundred of Pirehill, co. Stafford, presented that Peter de Lynesi, John de Twyford, and Thomas Wither, knights, and *John son of John de Isewall*, and others named (in other words, the Audley faction), were with the Earl of Lancaster at the bridge of Burton, and were all taken on that occasion. Afterwards the Sheriff was ordered to produce them on the morrow of the Purification.²

¹ As one example, among many, to show that John de Swynnerton of Hilton was not an adherent of Thomas, Earl of Lancaster, we quote the following:—"In presentments made in the co. of Stafford on 12th December, 17 E.I. II (1323), John de Swynnerton (of Hilton) is accused of having in March, 16 Ed. II (1322), *in the exercise of his office as Sheriff*, despoiled the fugitives from the field of Boroughbridge, in that he had taken two horses worth 40 marks, which belonged to Roger Damory, the King's enemy and rebel, and which should have been forfeited to the King, etc. ("Staff. Coll.," Vol. IX, p. 99.)

² "Staff. Coll.," Vol. X, p. 54.

In the same year the jury of the vill of Newcastle-under-Lyme presented that Peter de Lymesey, knight, *John de Uscwall*, Henry del Peek, William his brother, Ralf del Shaw of Knotton, and six others named of Knotton, with many more of that locality, were at the bridge of Burton assisting the Earl of Lancaster against the King in 1322. The Sheriff was ordered to attach them. A postscript shows that subsequently they all appeared, and were fined sums varying from 40*d.* to 1 mark, and found sureties for good behaviour.¹

On the same date the same jury presented that Thomas de Warwyk, formerly clerk of the Countess of Helegh, like a common malefactor, in full market at Newcastle-under-Lyme, in 13 Ed. II (1319), insulted Roger son of Roger de Swynnerton and beat and maltreated him, and that Richard de Swynnerton, William the Smith of Chelle, and others named, beat and wounded the said Thomas de Warwyk almost to death, and that Henry, the clerk of the Countess of Helegh, Henry de Peleter, and *John de Iselwalle*, at Newcastle, on a market day in 13 Ed. II, came like common malefactors, and beat and wounded Agnes wife of Robert del Bakhous, etc.² It will thus be seen that John de Swynnerton (II) of Isewall was now banded with a faction hostile to that of his cousins, Roger de Swynnerton of Swynnerton and John de Swynnerton of Hilton.

In 1325, 18 Ed. II, John de Swynnerton (of Isewall) received a writ of military service, being commanded to be at Portsmouth on the Sunday next after Mid-Lent, "*bien et nettement muntez et armez et appareillez*," to accompany Earl Warrenne to Gascony and Guienne, and the writ which was tested at Ravensdale on the 7th January reminded him that he owed his life to a promise that he would serve the King. On the 20th February he received a writ to the same purport, and mention was made that he had been previously summoned on such service by Letters of Privy Seal.³

In 19 Ed. II (1325), in November, Justices were appointed to take the assize of novel disseisin which William de Joneston arraigned against *John son of John de Swynnerton* and others concerning tenements in Eccleshall and Great Sugenhall.⁴

In 20 Ed. II (1326) Henry de Buirgh, carpenter, sued *John*

¹ "Staff. Coll.," Vol. X (from *Coram Rege* Rolls, m. 8).

² *Ibid.*, m. 9.

³ Parliamentary Writs,

⁴ Patent Rolls, 19 Ed. II, m. 20, in *dorso*.

son of John de Uscwall for two messuages and two acres of land in Eccleshall.¹

In 6 Ed. III (1332) Roger de Swynnerton the younger (heir to Swynnerton), by his essoin, sued Nicholas son of Adam le Bedel of Madeley, and Henry servant of John Burgylon, in a plea that they, together with John de Uscwalle, Henry de Sugenhull, John Burguloun, Roger Burguloun, and Thomas Yokkynson of Knutton, had taken, *vi et armis*, his goods and chattels from Knutton to the value of £40. Defendants did not appear, etc.²

By two deeds, both dated 7 Ed. III (1333), John son of John de Swynnerton of Uscwell remits for himself and his heirs to Roger, Bishop of Coventry and Lichfield, all the right, etc., which he has to all manner of estovers of wood, as well in housebote, haybote, and fyrebote, as in other estovers and *necessariis*, which he was wont to take and enjoy in the same Bishop's park of Blore, and in all other woods of the said Bishop within the manor of Eccleshale.³

In 8 Ed. III (1334) John de Swynnerton again surrenders by charter to Bishop Roger certain rights in Eccleshall.³

In 9 Ed. III, Trinity Term (1335), John de Uscwalle sued Philip le Barker of Eccleshale, and William his son, for breaking, *vi et armis*, into his close at Eccleshale, and taking his goods and chattels to the value of £10. Defendants did not appear, etc.⁴

On the 10th February, 1336, John de Swynnerton had a writ dated Knaresborough, and another dated Westminster, May 6th, for the war in Scotland.

In 10 Ed. III (1336) John de Uscwall, with many others, are indicted for pillaging the house of John de Stafford, knight, at Sandon.⁵

The next year the case was resumed *coram rege*;⁶ but as the name of John de Isewall no longer appears on the record, and as, in the year after, Roger lord of Swynnerton died seised of Isewall, the inference is that the interim John de Swynnerton of Isewall had died. In point of fact, he had been murdered, as his father

¹ "Staff. Coll.," Vol. IX, p. 116.

² John de Swynnerton of Isewall, as we have seen, was of the opposite party to Roger de Swynnerton in the rebellion of 1322. ("Staff. Coll.," Vol. X, p. 128; *Ibid.*, Vol. XIV, p. 28.)

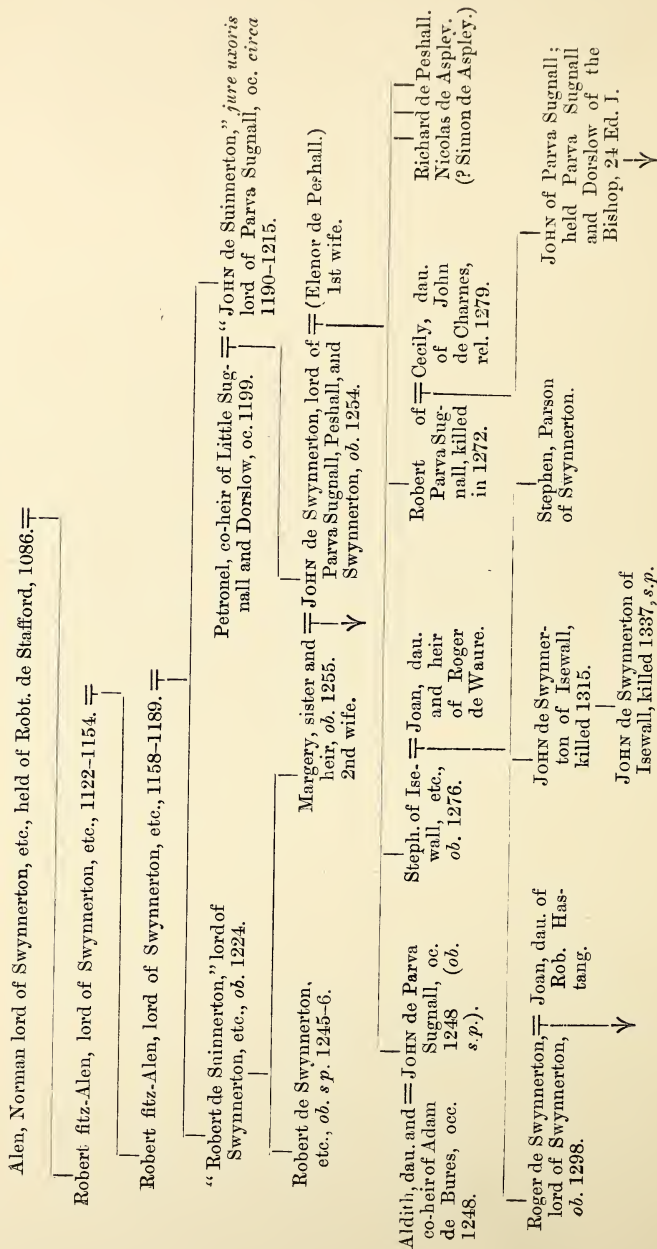
³ *Liber Albus*, p. 128.

⁴ "Staff. Coll.," Vol. X, p. 44 (*Coram Rege*).

⁵ *Ibid.*, Vol. IX, p. 71.

⁶ *Ibid.*, Vol. XIV, p. 50. (*Coram Rege*, Michaelmas 11 Ed. III, *apud Cantuar.*)

THE DESCENT OF THE EARLIER SWYNNERTONS OF ECCLESHALL.



Note.—Observe the succession of *Johns* of Sugnall.

was murdered before him, on Saturday the 1st day of October, 1337, and a kinsman, Adam de Peshale, was arrested for the crime. The following entries refer to this deplorable deed:—

Gaol Delivery made at Stafford before Roger Hillary and John de Peyto, Justices, etc., on the Thursday next after the Feast of the Annunciation 12 Ed. III. No. 131—

Staff. Adam de Peshale, Roger Marion,¹ and William son of Philip le Barker of Eccleshale, indicted before John Gentille, the steward of the Bishop's Liberty of the manor of Eccleshale, for feloniously killing John de *Uscwalle* at Eccleshale on the Saturday after the Feast of St. Michael 11 Ed. III, were acquitted. *m. 2, dorso.*²

Staff. Adam de Peshale, indicted before John le Gentille, the Bishop's steward, for aiding and abetting Roger Marion,¹ and William son of Philip, who had feloniously killed John de *Uscwalle* at Eccleshale, was acquitted. *m. 2, dorso.*²

Staff. Robert, son of Stephen le Bedel of Eccleshale, who had been indicted before Ralph de Grendon, the Coroner, for feloniously killing John de *Uscwalle* at Eccleshale in 11 Ed. III, was acquitted. *m. 2, dorso.*²

Adam de Peshale, *alias* de Whetales, was a son of Adam de Whetales, and one of the party of Roger de Swynnerton of Swynnerton.³ By descent he was himself a Swynnerton.⁴

Thus ended the last of the earlier Swynnertons of Isewall in Eccleshall, and, as his lands passed at once into the hands of his cousin Roger de Swynnerton of Swynnerton, it is certain that he left no issue. The later line of Swynnerton of Isewall has been treated of by Canon Bridgeman in his *History of the Family of Swynnerton* in Volume VII of the "Collections," from which most of these evidences have been taken.

¹ Roger Marion was of Swynnerton, and of the suite of Sir Roger de Swynnerton. "Staff. Coll.," Vol. VIII, p. 56.

² "Staff. Coll.," Vol. XVI, p. 7.

³ Cf. pp. 56 and 79, "Staff. Coll.," Vol. IX.

⁴ According to the *Visitations* of 1583, this Adam de Peshall was second son (by his second wife, the heiress of Weston-super-Lyzzard) of Adam de Peshall (I), and grandson of Richard de Swynnerton. He was his mother's heir at Weston. (See *ante*, p. 76.)

NOTES ON THE EARLIER HISTORY OF GREAT SUGNALL IN THE LIBERTY OF ECCLESHALL, CO. STAFFORD.

I.

1. In 1166 Great Sugnall was held by Robert Joceran, *i.e.* Robert the son or descendant of Joceran, at $\frac{1}{4}$ th f.m.¹

2. His son it may have been who as Robert de Magna Sugnall, married Petronilla of Darlaston, a daughter of Engenulf de Gresley and Alina, daughter of Robert fitz Orm. For convenience we shall call him Robert de Sugnall (II).

3. Robert de Sugnall (III), who died before 1233, had sold most of his patrimony to Roger de Waure, so that his widow, pleading in 1233, stated that Robert, his son and heir, held nothing of the inheritance of his father.²

4. Robert de Sugnall (IV), the son referred to, was then a minor, and he may have been a minor also in 1242, because *Testa de Nevill* states that Great Sugnall was held by the *heir* of Robert de Sugnall.

5. He was still living in 1252-3, because the Inquisition of William Muriel of that year mentions the fact.³ But he was dead by 1255-6, because Margery de Swynnerton had been guardian of his "*heirs*," but was then herself dead.⁴

6. These "*heirs*" must have been infant daughters, two or more. The Bishop, as chief lord of the fee, had conceded their wardship and marriage to Margery, lady of Swynnerton, and her executors on her death had surrendered those rights again to the Bishop.⁵

7. William Muriel, dying in 1252-3, left a son and heir, John Muriel, at that time 18 years old.⁶

8. Thirty years after, in 1284, Kirby's Quest says that Great Sugnall is held by $\frac{1}{4}$ f.m. by Roger and John, sons of Stephen (de Swynnerton) of Aspley, and that they hold it of John Muriel, who holds of the Bishop. In other words, we have John Muriel holding the *status* of Robert de Sugnall at Great Sugnall, from which it would appear that John Muriel had married one of the "*heirs*" of the last Robert de Sugnall.

¹ Pipe Roll of 1166.

² "Staff. Coll.," IV, p. 85.

³ *Inq.* in copy, Wm. Salt Lib., Stafford.

⁴ "Staff. Coll.," VII, Part 2, p. 8.

⁵ According to feudal rule the care of a minor belonged to the next kinsman who could not inherit. (Stubbs)

II.

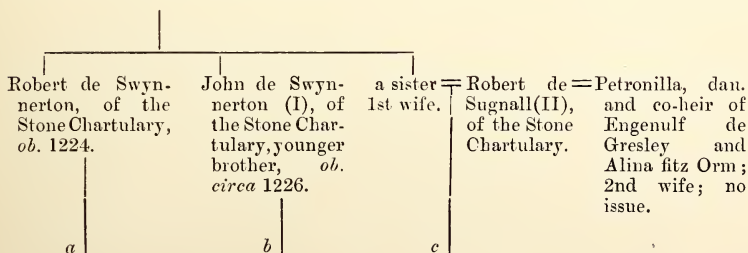
In the Stone Chartulary, Robert, lord of Swynnerton from *circa* 1190 to 1224, is several times the most honoured witness in the deeds concerning lands granted by Robert de Sugnall and Petronilla de Gresley his second wife, by whom he had no issue.¹

In 12 Hen. III (1227) Robert de Swynnerton joins Robert de Sugnall as surety for William de Erdington, a bailiff of the Earl of Chester.²

These phenomena indicate close relationship; and the relationship is almost certainly this:—that the first wife of Robert de Sugnall (II), and the mother of his heir, was a sister of Robert de Swynnerton, his contemporary. In other words, Robert de Swynnerton and Robert de Sugnall of the Stone Chartulary were brothers-in-law. To support this theory there is the following evidence:—

In the *Liber Albus* of Lichfield is preserved a quit-claim (without date) from the executors of Margery de Swynnerton, late lady of Swynnerton, to Roger de (Weseham), Bishop of Coventry and Lichfield, of all the right which the said Lady Margery had, by concession of the Lord Bishop, to the custody of the heirs and lands of the late Robert de Sugenhull in Espel (Aspley) and Sugenhull, and also to the marriage of the heirs of the said Robert.³

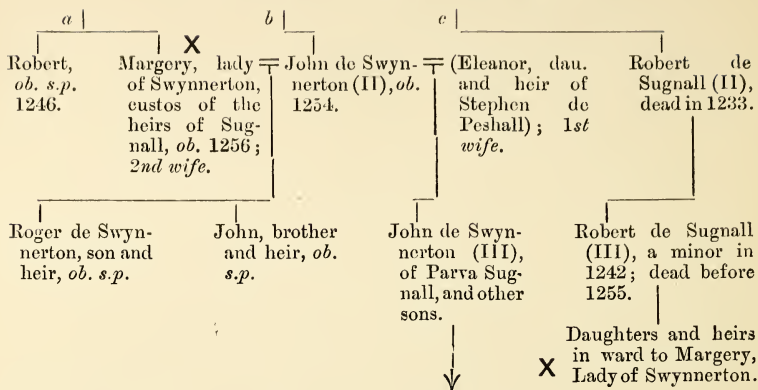
This custody must have been conceded to Margery as a right; and her right must have been the usual feudal law and right of the nearest of kin who could not inherit; which would be precisely the position she would occupy with regard to the heirs of the last Robert de Sugnall, if the match above-noted had taken place. This fact, as I regard it, will be best understood by a reference to the following pedigree:—



¹ "Staff. Coll.," VI, Part 1, pp. 1-20.

² *Ibid.*, IV, 72.

³ *Ibid.*, VII, Part 2, p. 8.



It will be thus seen that the nearest of kin who *could* inherit was the issue male of John de Swynnerton (II) *by his first wife*; and that the nearest of kin *who could not inherit* was Margery de Swynnerton, to whom, therefore, was conceded the custody of the heirs of the last Robert de Sugnall.

Canon Bridgeman does not mention the names of Margery de Swynnerton's executors. They were—

1. Roger, Prior of Trentham.
2. Nicholas de Aspley, Prior of St. Thomas, near Stafford.
3. Stephen de Hunteback, chaplain.¹

Nicholas de Aspley must have been a brother of Stephen de Aspley, and one of Margery's step-sons. How Great Sugnall came to the Swynnertons from Roger de Waure, who acquired it from Robert de Sugnall (III), is told in my account of the earlier Swynnertons of Eccleshall.

NOTE.—Referring to the circumstance that, in the attestation-clauses of the Stone Chartulary, Sir Robert de Swynnerton often heads the list of witnesses, while his younger brother John de Swynnerton as often comes near the end (see p. 74), there is a deed of Hervey Bagot of 1194–5, edited by Eyton in “Staff. Coll.,” II, 226, where, of eighteen witnesses, Adam de Audley heads the list, while his two sons, Adam and Henry, enter last but two.

These examples are instances of the well-known fact that the precedence of age and rank was very strictly observed on all such occasions. Indeed, a witness-clause will often afford a clue, not merely to status, but even to approximate age.

¹ *Liber Albus* at Lichfield.

SWYNNERTON OF CHELL, CO. STAFFORD.

NOTES ON THE EARLIER HISTORY OF THE MANOR OF GREAT CHELL, CO. STAFFORD.

The Swynnerton holding at Chell, as we learn from a suit of 14-15 Ed. I (1286) consisted of four messuages and four bovates of land with appurtenances at *Great Chelle*, which they held as arrière tenants under the Audleys, who had obtained the chief rents and the seignory of that place from Engenulf de Gresley and Alina.

Erdeswick says that Ormus de Guldene, among other manors, held the manor of Chell.

Ormus had at least two sons, Robert and Ralf. Of these Ralf fitz Orm had a daughter and heir, Emma, who married Adam de Audley, and Robert had a daughter, Alina, who married Engenulf de Gresley.

Henry III's confirmation to Henry de Audley of all his lands shows that Audley and Cheddleton—*i.e.* not the land, for that had been the Audleys long before, but the mesne-lordship of them¹ came to Adam his father of the gift of Nicholas de Verdon, to whom Erdeswick believes him to have been related, and that Adam de Audley had "of the gift of Engenulf de Gresley and of Alina his wife, Tunstall, Chaddersley, CHELLE, and Normancote."

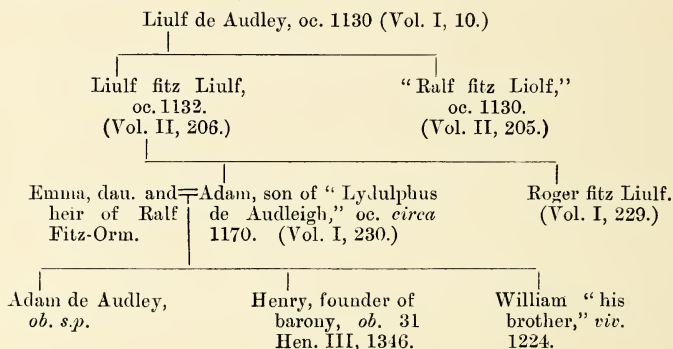
But Chell, with Tunstall, Chadderley, Thursfield, Bradwell, and Normancote, had formed part of the Staffordshire Seignery, believed by Eyton to have been added to the Domesday Honour of Chester, previously to 1153, probably by Henry I, in favour of Earl Raoul le Meschin, who, succeeding his father, Earl Raoul (I) in 1128, married about that time the King's granddaughter. And when it is certified by the Crown (see *Rot. Cart.*, 21 Hen. III) that Earl Ranulf (III) gave Henry de Audley the whole rent of Chell, Tunstall, Chadderley, Thursfield, Bradwell, and Normancote, the presumption is that the Earl merely released that which

¹ "Staff. Coll.," I, 234.

had been previously due to himself as Suzerain. (So Eyton. See "Staff. Coll.," I, 234.)

It would appear then that the gift of Engenulf and Alina of the manor of Chell, etc., had constituted Adam de Audley *mesne* tenant instead of themselves under the Earl of Chester; and that the gift of Earl Ranulf (III) to Henry de Audley constituted the latter, tenant *sine medio* of the same places *under the King*. But when the King (Henry III) conferred his Crown lands in those parts of Staffordshire on his younger son Edmund Crouchback, with the Earldom of Lancaster, then the Audleys would again hold Chell, etc., as *mesne* tenants, but this time of the Honour of Lancaster.

Adam de Audley had three sons, Adam who died without issue, the aforementioned Henry, the founder of the barony, and William.



In a deed of about 1225, by which John son of Ralf de Cnotton confirms to Ralf son of John de Wytemore all the tenements in Wytemore which John de Wytemore, father of Ralf, held of Ralf de Cnotton, father of John, among ten witnesses, the two first in order are the Lords *Henry de Haudeleg* and *Robert de Swynnerton*.¹

To a concord, dated the Feast of St. Peter ad Vincula, A.G. 1242, between the Abbot of Hilton, of the one part, and the Prior of Trentham, of the other, the witnesses in order are: "the Lords Simon then Abbot of Combermere, *Henry de Audley*, *James de Audley his son*, *Robert de Swinnerton*, William Pantulf, Geoffrey Griffin, Robert de Mere, with Robert de Badenale, Ralf de Waure, Ranulf de Beville, and others."²

¹ Original deed *penes* Rev. C. Swynnerton.

² "Staff. Coll.," Vol. XI, pp. 314, 315.

All these witnesses were men of the first rank in the district. Thus to take the second deed, the Abbot of Combermere was probably visitor of both Hilton¹ and Trentham. Henry de Audley, the first Baron Audley, founded the Abbey of Hilton in 1223. James de Audley his son, a favourite of Henry III, was subsequently one of the King's Council of Twelve in 1259, and a lord of the Welsh marches. Swynnerton was lord of Swynnerton; Pantulf, a grandson of Ivo Pantulf, Baron of Wem, by Alice daughter of Norman de Verdon, was lord of Cubblestone; Griffin, of Clayton; Robert de Badenhale was then Seneschal of Trentham; Ralf, if identical with Roger de Waure, held office under the Bishops, and was a large tenant in Eccleshall; Ralf Beville of Longton was a great benefactor of the priory of Trentham: all had domains close to Trentham and Hilton.

It is to be noted that in the former deed Robert de Swynnerton's name stands second, coming immediately after that of Henry de Audley himself, and that in the latter deed it stands fourth, coming immediately after that of James de Audley the son and heir, and before even William Pantulf's. The inference is that he was *near of kin* to the Lord Henry de Audley. An Audley may have married a Swynnerton, but the following extracts make it quite clear that a Swynnerton had married a lady of the house of Audley:—

1. On the Octaves of Michaelmas, 6th Oct., 1251, Margaret, the wife of Robert de Mere, put in her place her husband, or Robert de Weston, *versus* Pavia, widow of RICHARD DE CHELL, in a plea of dower.²

2. In June, 1263, Isolda, the widow of Robert son of Robert de Mere, sued Roger de Swynnerton for one-third of two virgates of land in Acton and Shelton (in Swynnerton), and one-third of a rent of 8 marks in CHELLE, which she claimed as dower.³

3. At the assize at Lichfield on the morrow of Holy Trinity, 56 Hen. III (1272), John de Swyneforton (Swynnerton) appeared, and conceded to Hugh de Beuneys and Isolda his wife a third part of three virgates of land and 7s. 6d. of rent in Shelton, Acton, and CHELLE, as the dower of the same Isolda, which she had of the gift of Robert de Mere her first husband, the COUSIN of the aforesaid John, *whose heir he is*.⁴

¹ Nor the Hilton of the subsequent Swynnertons of Hilton, which was in quite another part of Staffordshire.

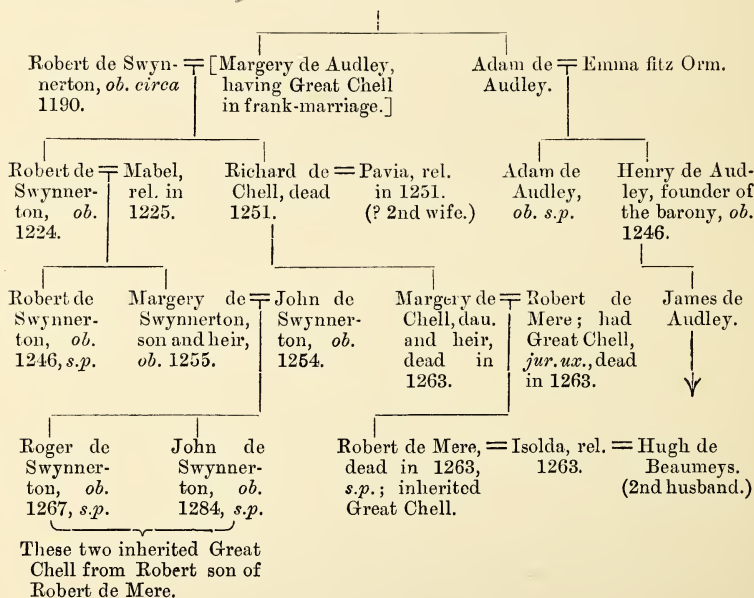
² "Staff. Coll.," Vol. IV, p. 122.

³ *Ibid.*, pp. 156, 157.

⁴ *Ibid.*, p. 192.

These extracts prove that Chell had belonged to Margery, the daughter of Richard de Chell, that either her mother or her grandmother therefore must have been an Audley, and that the *alias* of her husband, Richard de Chell, must have been Richard de Swynnerton.

If we suppose that her grandmother was an Audley, her husband will have been Robert, lord of Swynnerton, who died about 1190. Her marriage portion will have been Chell, and Chell will have descended to Richard, her younger son, who dying, left a daughter and heir Margery, cousin of Margery, lady of Swynnerton, and wife of Robert de Mere. Of course it may have been Richard himself who married an Audley, but in either case the result is the same. I suppose the lady's name to have been Margery, and that the two later Margerys were named after her. Hence the following pedigree:—



John de Swynnerton, who died without issue, must have left Chell as well as Swynnerton to his nephew and successor Roger, the eldest son of his half-brother, Stephen de Swynnerton of Isewall. Thus:—

At the Michaelmas Assizes of 14-15 Ed. I. (1286), the Sheriff of Staffordshire was ordered to take with him four discreet

and lawful knights of his county, and *in propria persona* to proceed to the court of Edmund the King's brother, at Newcastle-under-Lyme, and in full court there to cause to be recorded the suit which was in the court by the King's writ between John de Wytemore, Adam son of William de Alsager, Roger de Pyvelesdon and Joan his wife, Robert le Mareschal, and Gilbert son of Geoffrey de Aston, plaintiffs, and Roger son of Stephen de Useleswell, tenant of four messuages and four bovates of land with the appurtenances in GREAT CHELLE, as to which the said Roger son of Stephen complained that a false judgment had been given, and to have the record in court at this term, together with four legal men of the same court who were present at the record. And John and the others now appeared, and William de Mere, Geoffrey de Cokenegge, Thomas de Baddeley, and Richard Lee, the four men of the court to whom the record had been entrusted to produce it in court, never came. The Sheriff is therefore ordered to distrain and produce them on the morrow of the Purification, and the same day is given to the other parties. At the ensuing Hillary Term, however, Roger son of Stephen de Useleswall, who brought a writ of false judgment against John de Wytemore, Adam son of William de Allesager and others did not appear to prosecute it, and the suit is dismissed.¹

In 16 Ed. I Roger de Swynnerton gives half a mark for a writ of *ad terminum*.

At Michaelmas, 1288, Roger son of Stephen de Swynemerton (Swynnerton) gives 40s. for licence of concord with Roger de Pulesdon and Joan his wife in a plea of convention, and they have a chirograph. In this final concord Roger son of Stephen de Swynnerton appears as complainant against Roger de Pywelesdon and Juliana (Joan) his wife, deforciants in a plea concerning the ninth part of the manor of Swynnerton, of Beche, and CHELLE, which deforciants acknowledge to belong to complainant, and they remitted the same to complainant for ever. For this acknowledgment complainant gave deforciants one sore sparrow-hawk.

Again:—In Trinity Term, 18 Ed. I (1290), Roger de Swynnerton is *in misericordia* for several defaults of appearance. He is attached to answer the plea of Robert Chelle, that he, with John de Cherleton, James de Hayton, William son of William de Cherleton, and Gilbert de Swynnerton had ill-treated, taken, and imprisoned at Swynnerton the said Robert Chelle, on the Monday

¹ "Staff. Coll.," Vol. VII, Part 2, pp. 15, 16.

after the Feast of St. James, 17 Ed. I (1289), and detained him a prisoner for fifteen days, until he was delivered by the King's precept, for which he claimed 100s. damages. Roger appeared and denied the injury, and stated that after the death of Richard, the brother of Robert Chelle who had held of him a messuage and virgate of land in CHELLE in villeinage, the said Robert had fined 30s. for entry into the said tenement to be held in villeinage of him, and because he had refused to pay the fine he had taken him as his vassal, and put him into gaol, as it was lawful for him to do.¹

Roger de Swynnerton died in 1298,² and was succeeded by his eldest son Roger, who died both Baron and Banneret in 1338, having demised his rights in Chell before his death. Thus:—

Matilda, formerly wife of Roger de Swynnerton, sued Richard de Peshale, chivaler, for a third of a rent of 40s. in CHELLE, which she claimed as dower. Richard stated that he held the rent for his life only by a demise of the said Roger de Swynnerton, who had afterwards granted the reversion of it to Thomas de Swynnerton and his heirs, and he could not answer to the plea of Matilda without the said Thomas: as Matilda did not deny this, the Sheriff was ordered to summon the said Thomas for the Quindene of Holy Trinity.

Nevertheless, the Roger who died in 1298 may have made a grant in Chell to a younger brother, name at present unknown, and the four "de Chells," apparently brothers, who were of the faction of Roger de Swynnerton in the reign of Edward II, may have been sons of that younger brother. The principal members of that faction were these:—

Roger de Swynnerton, knight,	} brothers.
John de Swynnerton, knight,	
Richard de Swynnerton, man-at-arms,	
Stephen de Swynnerton, man-at-arms,	
Nicholas de Swynnerton, clerk,	
Alexander de Swynnerton,	
John de Swynnerton of Isewall, man-at-arms, uncle of the foregoing.	
Richard de Whetales.	
John de Whetales.	
Richard de Chelle, clerk.	

¹ "Staff. Coll.," Vol. VII, Part 2, p. 17.

² Rot. Claus., 26 Ed. I.

William de Chelle.

Hugh de Chelle.

Henry de Chelle.

The Whetales were certainly Swynnertons, since they were identical with the Peshales, who were Swynnertons, and the Rolls are not without indications that these Chells were also Swynnertons, and if so they may have been sons of the supposed younger brother above referred to,—

[*De Banco*, 9 *E. II* (1315), *Mich.* Anna, formerly wife of Adam de Whetale by Richard de *Whetale* her attorney, sues Juliana, etc. for dower.

Ibidem. Anna, formerly wife of Adam de Whetales by Richard de *Peshale* her attorney, sues Juliana, etc. for dower. (Same suit.)¹

Richard de Whetales *alias* de Peshale was in fact Anna's step-son.²

Again in a suit, *Coram Rege*, of Mich., 9 Ric. II, "John de *Whethales* of Albrighton" is also named "John de *Peshale*" in the same pleadings.³

[POSTSCRIPTUM.]

A "Richard fitz-Alwin," who was probably a Swynnerton, occurs in a suit of *Mort d'Ancestor* concerning land of the Templars in "Kel" in 1 John (1199).⁴ In the same year, as *Ricardus filius Alani*, he fined a mark for his pledges.⁵ He was deceased in 1213, when Godehousa, his widow, was suing Geoffrey Savage for her dower in "Walcot."⁶

This Richard fitz-Alan may possibly have been a younger son of "Robert fitz-Alan" of Swynnerton, deceased 1190, and father of Richard de Chell. And his wife, Godouda, may possibly have been the member of the family of Audley, whose marriage-portion was Chell. Even if that were so, the argument of this paper would be fortified rather than weakened.

ON VARIATIONS IN EARLY PERSONAL NAMES.

Consider :—

I.—Necessity of distinction.

II.—The extreme unwillingness on the part of the Normans to adopt the barbarous place-names of the subject Saxons.

a.—This seen in such surnames as *Dapifer*, *Constabularius*, *Forestarius*, etc.

b. —Many Normans had recourse to the prefix "fitz." But as in "Fitz-Alan" this also became a source of confusion. Hence possibly differences in spelling, as "Fitz-Eelen," "Fitz-Ailwin," etc.

¹ "Staff. Coll.," Vol. IX, p. 56.

² *Ibid.*, p. 79, and Heralds' Visitations of 1583.

³ *Ibid.*, Vol. XVI, pp. 27-28.

⁴ "Staff. Coll.," III, 57.

⁵ *Ibid.*, II, 95.

⁶ *Ibid.*, III, 160.

- III.—The policy of Henry I, and Henry II, did much to break down the barriers between the two races, and taught Normans to be proud of being Englishmen.
- IV.—By the accession of Richard I, place-cognomens were well established, and Robert de Swynnerton of Swynnerton (for example) can no longer be confused with any possible Robert fitz-Alan of Coton.
- V.—Multiplied possession, however, formed a new evil, as men were named sometimes after one estate, sometimes after another, and it was not the reign of Edward II, or early Edward III, that the *caput* of family gave the fixed name to the race. Meanwhile, however, the confusion among surnames is so great and so bewildering in those early times, that General Wrottesley suggests that the better plan would be to translate the French “de” into its English equivalent, excepting in those cases where it marks the general patronymic, or generic name, of the family. Take, as an example, John de Swynnerton of Isewall, where “de Swynnerton” has become generic. In his quit-claim to Roger, Bishop of Coventry and Lichfield, he appears as “Johannes de Swynnerton de Iselwelle.” Here, naturally, we should translate the second “de,” but not the first—John de Swynnerton of Isewall. But this John constantly appears under the form of “Johannes de Iselwelle,” which is merely a local or residential name. Wherever there is evidence that, as in this case, a name is not generic, but merely residential, or local, or territorial, it would certainly be best to render the “de” into “of.” *John of Iselwelle* would suggest at once the *hiatus*, which could be supplied within brackets; thus,—*John (de Swynnerton) of Iselwelle*.

NOTE TO pp. 98-100.—Incidental and undesigned testimony is afforded by this paper, corroborating the statement, that “Robert de Suinnerton” and “John de Suinnerton” of the Stone Chartulary were two brothers (See pp. 73-76.)

THE CROSSED - LEGGED FIGURE IN
SWYNNERTON CHURCH.

BY THE

REV. C. SWYNNERTON.

ON THE CROSS-LEGGED EFFIGY IN SWYNNERTON CHURCH.

BEFORE coming directly to the subject of this paper, it will be necessary first of all to settle certain preliminary dates in order to show that at the time of the Crusade of 1191 there was living at Swynnerton a knight, not only sufficiently young to incur the risks of that expedition, but also of such an age as to be still comparatively young at the time of his death; the reason of which will appear presently.

Early in the reign of Henry II we have evidence of a difference of opinion between "Robert fitz-Eelen,"¹ the lord of Swynnerton, and the canons of Stone Priory regarding the right of presentation to Swynnerton Church. An inspection of a charter of Helyas, the Archdeacon of Stafford, which Eyton shows to have passed in or soon after 1155, reveals the fact that this dispute had been of a very protracted character, the wording of the deed distinctly stating that there had been a long controversy between the two parties as to their respective claims. "Robert fitz-Eelen," the lord of the vill, had evidently, some years before, presented to the living two secular priests (for there were then two incumbents) Osbert and another Osbert.² From the tenour of similar disputes in subsequent times, it is probable that the quarrel was brought to a crisis by a refusal on the part of the two rectors to pay as a condition of undisturbed possession an annual pension claimed originally by the Priory of Kenilworth, but then appurtenant to the daughter house of Stone. At last Bishop Walter Duredent, who died in 1159, was induced to interfere. He sent Helyas the Archdeacon to the spot, who, when

¹ He was the son of Alen the Domesday tenant of Swynnerton co. Staff. and Rauceby co. Linc., and probably brother and heir of Alen the husband of Eyllina, daughter of Enisan de Walton, who gave her inheritance in Walton to the monks of Stone ("Staff. Coll.," Vol. II, 298.)

² It is not at all unlikely that these two Osberts were father and son.

he was come, summoned before him the two incumbents, and compelled them to surrender the church of "Swinnerton" on the altar of the blessed Mary in the church of Stone. This they accordingly did, and professedly it was done "with the assent of Robert fitz-Eelen, which Robert of the aforesaid vill of Swinnerton is lord." The rest of the charter in which Helyas records this arrangement translates thus:—"Above all, the aforesaid clergy have pledged themselves on oath in the same place, that, with the church, and for the church, of Stone, they will everywhere devote themselves, body and soul, and specially to defend and to retain the aforesaid church of Swinnerton to the canons of Stone, as that which legally and *parochially* of the said church of Stone it is well known to be, and that they will never side against it with anyone"—(*cum aliquo*, meaning, apparently, the lord of the vill),¹

Robert fitz-Eelen was not himself present at this characteristic scene, as his name nowhere appears among the witnesses, and I am of opinion that, when old and infirm, he had been induced to waive his rights, and to assent to the arrangement of the monks, his two chaplains, Osbert and Osbert, for this concession being allowed to remain in possession.

It would appear likely, then, that "Robert fitz-Eelen," whom we know to have been in possession in 1122² died about the time of the date of this deed, that is to say, some time between 1155 and 1159.

From the record of a similar dispute which raged in the reign of King John,³ we learn that "Robert fitz-Eelen" left a son and successor also named Robert, who as "Robertus filius Alani" attests a deed of Robert de Stafford, which Eyton proves to have passed between 1158 and 1165.⁴ In the *Liber Niger* of 1166 we meet with him again, where "Robert fitz-Aelen" is returned as

¹ This deed *in extenso* is quoted with notes in "Staff. Hist. Coll.," Vol. III, p. 185. Domesday Book makes no mention of any Church of Swynnerton in 1086. Probably it did not form a separate parish at all, for this deed declares that even so late as 1154 it was *parochially* but a portion of the great parish of Stone. Nevertheless a church had been built there, probably before 1100, portions of which still remain, and practically it had been constituted a parish, but it remained always dependent, to the extent of two marks yearly, to the mother-parish of Stone.

² "Staff. Hist. Coll.," Vol. II, 195-197.

³ *Ibid.*, Vol. VI, 30.

⁴ *Ibid.*, Vol. II, 261.

holding a knight's fee at Swynnerton, co. Stafford, and one half a knight's fee at Rauceby, co. Lincoln, under the barons of Stafford.¹

Towards the end of his life he, like his father, would appear to have been involved in controversy with the monks of Stone regarding the advowson of the church. There was a vacancy in the living; there was a dispute as to the patronage; the Bishop had again to interfere; Robert fitz-Aelan was induced to confirm his father's concession, and the Prior and Canons carried the day by presenting their own man, "Adam the Chaplain."²

The Plea Rolls of 2 Hen. III (1217) show that this Robert confirmed his father's concession in the time of Bishop Hugh, and Bishop Hugh of Lichfield was elected in 1185. "Robert fitz-Aelen" therefore was living after 1185. That he was dead before 1190 I accept as certain, and as the fact directly concerns the subject of this paper I now give my reasons for thinking so:—

In 1 John (1199) Stephen de Hatton claimed against "Robert de Swynnerton" four virgates of land which his father had leased to *Robert the father of the said Robert de Swynnerton* for a term which had then expired.³

This entry proves that "Robert fitz-Aelen" was dead in 1199.

In the same year Walter de Cherleton arraigned "Robert de Swynnerton" for having injured him by unjustly raising a certain stank after the second coronation of Richard I (1194). The main issue before the court was—Did Robert de Swynnerton raise the stank after the coronation or before? The defendant's plea was that he did not raise it after the coronation, and the jury found in his favour. He must have raised it *before* 1194.⁴

This entry proves that "Robert fitz-Aelen" was dead in 1194.

Once more: it is not "Robert fitz-Aelen," but "Robertus de Swinertona," who attested a deed of Hervey Bagot, which Eyton shows to have passed between 1185 and 1190.⁵

It is, then, evident that Robert fitz-Aelen died some time before the year 1190, and that before that date also—that is, by the date of the accession of Richard I—he was succeeded by a son "Robertus de Swinertona," who, as Eyton observes, was the first of the race of the Domesday "Aslen" to call himself "de Swinerton." His

¹ "Staff. Hist. Coll.," Vol. I, 174.

² *Ibid.*, Vol. VI, 30.

³ *Ibid.*, Vol. III, 59, 60. The expired term was doubtless twenty-one years. See a suit of this same Stephen de Hatton *alias* Stephen de Chatkull, *Curia Regis Rolls*, 1 John; "Staff. Coll.," III, 56.

⁴ *Ibid.*, Vol. III, 56 (from Assize Roll of 1 John).

⁵ *Ibid.*, Vol. II, 261.

name frequently occurs in the Plea Rolls and charters of the time, and Canon the Hon. G. O. Bridgeman, in his "History of the Swynnertons," proves that he died in or just before the year 1224.¹

Having thus settled that point, namely, that the Robert de Swynnerton who was deceased by 1224 was the lord of Swynnerton at the date of Richard's Crusade in 1192, we have next to examine the evidence as to his having accompanied that monarch to Cyprus and Palestine.

1. The Lincolnshire Hundred Roll of 3 Ed. I (1274-5) states that the Hospitallers of Maltby held half a knight's fee in Rauceby by the gift of Robert de Swynnerton 100 years before.² The statement, however, need not be understood literally. It speaks in round numbers, and the hundred years are a rough calculation. It may, and it probably does, refer to the time of Richard's Crusade.
2. Robert de Swynnerton's overlord, Robert de Stafford, then like himself a young man, accompanied by his younger brother Nicholas, joined that Crusade, and where the overlord went many of his knights would follow.
3. That many of them did follow is proved thus :—The amount of scutage of Wales remitted to Robert de Stafford by the King for taking the Cross was the exact amount sanctioned for a Baron and nine of his vassal knights.³ It is most improbable that, of these nine, Robert de Swynnerton should not have been one. He was young and doubtless aglow with the prevailing enthusiasm; he was drawn by the ties of kindred,⁴ and impelled by the obligations of feudalism, and he represented one of the most considerable knightly families in Staffordshire.
4. But the Rolls are not without other indications that Robert de Swynnerton was absent from England at this period. Hardly had Richard I left for the East when his brother John began to undermine his authority and to exercise tyranny. The result was seen in provincial disturbances. In Staffordshire there appears to have been an insurrection, and the Pipe Roll of Michaelmas, 1191, which deals with the events of the previous twelve months, shows

¹ "Staff. Hist. Coll.," Vol. VII, Part 1, 5.

² *Ibid.*, Vol. I, 174.

³ Eyton works this out in one of the early volumes of the "Staff. Hist. Coll."

⁴ Both General Wrottesley and Canon Bridgeman expressed their opinion that "Aslen" de Swynnerton, the Norman grantee, was related to Robert de Stafford.

that large sums had been expended by the Sheriff in the maintenance of men-at-arms, who had been called out for the preservation of the peace.¹ At Newcastle a strong garrison of knights was maintained at great expense.² Offenders had been imprisoned in the King's gaol at Stafford. Among the latter apparently was Nicholas de Tittensor, a neighbour, and, I think, a kinsman, of Robert de Swynnerton.

Tittensor adjoined Swynnerton so closely that one of its members, Beech, was included within the boundaries of Swynnerton parish. Nicholas de Tittensor, apparently too advanced in years to go himself, had sent his son and heir, Richard de Stoke, on Crusade with Robert de Stafford his lord.³ He was mesne lord of both Tittensor and Stoke (in Stone), and he appears to have put his son Richard in seisin of Stoke, as well as of Aston, a portion of Stoke, long before King Richard's accession.⁴ All these places were in the great parish of Stone, adjoining the parish and manor of Swynnerton.

It was during his son's absence over sea with the King that Nicholas de Tittensor was found a prisoner in the royal castle or gaol of Stafford. He was allowed to compound his offence, whatever it was, for a round fine. To obtain the full sum necessary he was compelled to part with a portion of his son's inheritance. Half the whole vill of Stoke, with its appurtenances, namely, two virgates of land with half of the demesne, he sold to his superior, Robert-fitz-Payne, for 100s. of silver, and a gold ring to Sybil, his wife.⁵ A similar grant (of the other half), with the half service which Robert fitz-Payne owed him for 100 acres and a virgate in Aston (*quas tenet de dominio meo de Stoke*), he gave to the Prior and Canons of Stone. And this he did, as he says himself, as a return to the monks for the sum of xv marcs (100s.), which they gave him "*ad redemptionem meam dum captus eram apud Stafford*," for his deliverance when a captive at Stafford.⁶

The latter transaction is comprised in three deeds in

¹ Pipe Rolls, 3 Ric. I, "Staff. Coll.," II, 10, 11.

² *Ibid.*

³ *Ibid.*, VII, Part 2, p. 1.

⁴ "Staff. Coll.," III, 32.

⁵ *Ibid.*

⁶ *Ibid.*, VI, Part 1, 18.

the Stone Chartulary, which passed after the news of Robert de Stafford's death on Crusade had arrived in England, and after Hervey Bagot, the husband of Milisent, Robert de Stafford's sister and heir, had offered 100 mares for seisin of the Barony of Stafford in right of his wife, that is, some time in the year 1191-2.¹ And the point to note is this,—that the monks of Stone, to establish their right in the property as firmly as possible, in the absence of the heir, scoured the country round about Stone and Swynnerton for substantial witnesses, whom they brought together to the enormous number of eighteen. In this list, conspicuous by its absence, the name of Robert de Swynnerton does not appear.² Where was he? Evidently he was absent on Crusade in the company of his kinsman, Richard de Stoke of Tittensor, and the rest of the nine knights who had followed Robert de Stafford to the Holy Land.³ "*Transfretavit in servitio Regis Ricardi*," to quote Richard de Stoke's own words in the suit by which, on his return home, he vainly strove to quash the alienation of so much of his inheritance, on the plea that his father, during his absence on service with the King, had held those lands of his only in trust, as his Seneschal.⁴

5. Two out of every three of those who engaged in that Crusade are estimated to have died of dysentery at Acre. Robert and Nicholas de Stafford, from whatever cause, both perished there or elsewhere.⁵ The survivors were nursed back to health by the Knight Hospitallers who acted as an "Army Medical Department." They were repaid by grants of land, some of these grants being really sales effected by sick knights to raise the necessary funds for the journey home. There can be little doubt that the grant of the half knight's fee at Rauceby to the Knight-Hospitallers was one such sale effected by Robert de Swynnerton when stricken with disease or wounds, or when pressed for money, at Acre or Ascalon.⁶

¹ "Staff. Hist. Coll.," II, 27.

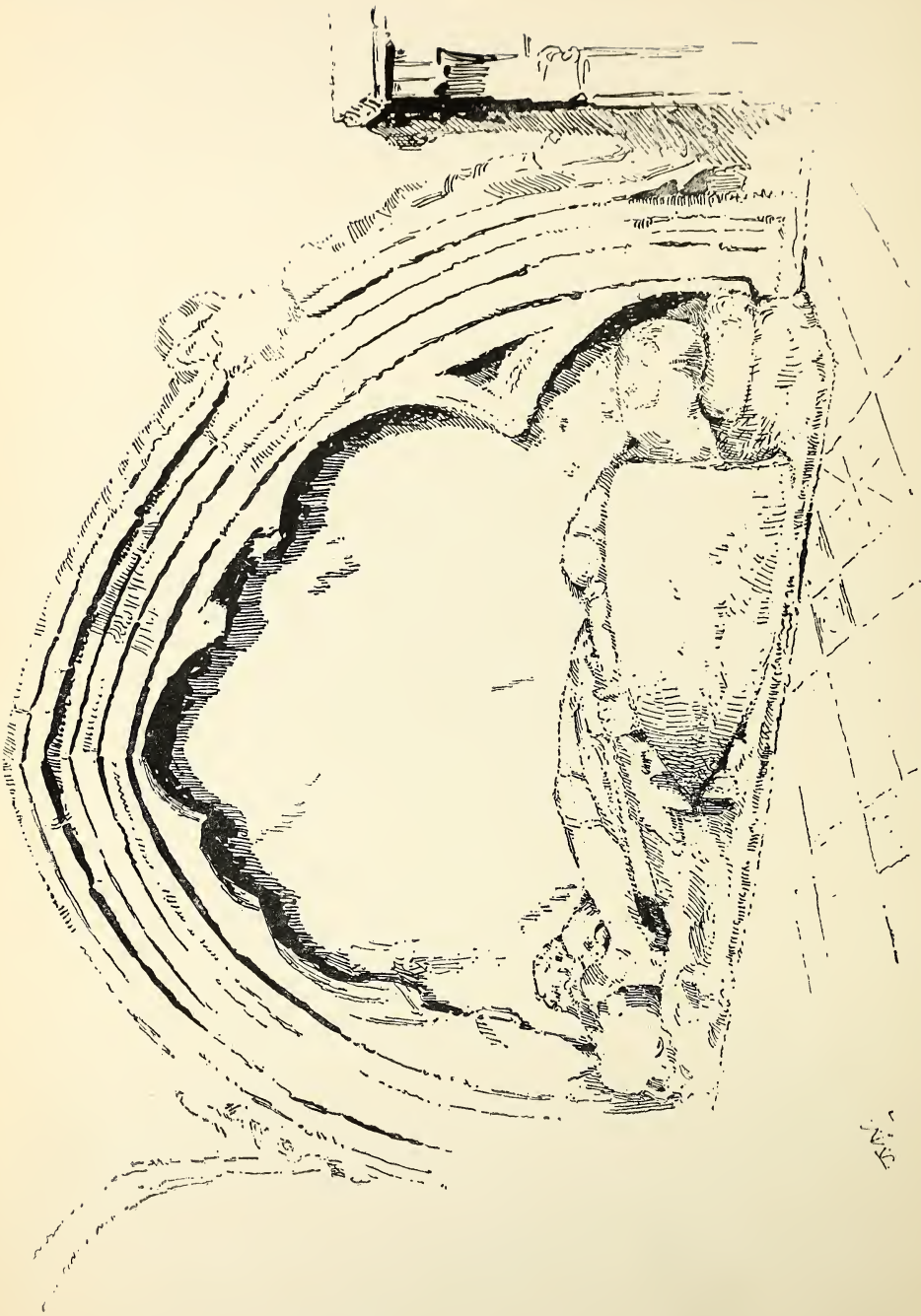
² *Ibid.*, VI, Part 1, 17.

³ *Ibid.*, II, 9.

⁴ *Ibid.*, III, 32, 33. Richard de Stoke pleaded that his father had enfeoffed him by deed twenty years before. Unfortunately the deed was not forthcoming.

⁵ "Staff. Hist. Coll.," II, 28.

⁶ So argues General Wrottesley, and the argument is sound.



CROSS-LEGGED EFFIGY IN SWINNERTON CHURCH.—(From a sketch by J. M. NICHOLSON, Isle of Man.)

6. The Norman-French motto, *Avaunturez et marchez avaunt*,¹ was said in a tradition preserved by the Swinnertons of Butterton to have been "conferred on an ancestor for valour in engaging and overcoming in single combat a Saracen champion in the Holy Wars."² Tradition is not of the nature of judicial evidence; but every tradition contains a germ of truth, and its testimony becomes important when, as in this case, it is supplemented by evidence of a more direct character.

This then is our second point, and we have now in the third place to consider the style of the effigy, traditionally known as the "Old Crusader," which lies in the chancel of Swynnerton Church.

This effigy is a recumbent figure of a cross-legged knight. Carved, as it is, in some local free-stone, it has unfortunately suffered from the wear and tear of time. It lies close to the floor in a niche on the south side of the chancel, the position (as generally understood) of the tomb of a founder. But it is curious that one of the sedilia, of which there remain only two, appears to have been encroached upon to make room for it, suggesting the bare possibility of its having been moved from some other part of the church, especially as the canopy over it is of a decidedly later date. The sculptured figure measures 6 feet 2 inches from head to foot; it lies partly on one side, and it is clothed in complete mail. The head rests on a plain square cushion. Round the head may be traced the usual slight fillet-like rim or projection, indicating possibly some fashion of skull-cap of velvet worn beneath, just as within memory the wild warriors of our Indian North-West Frontier wore a similar cap beneath their linked mail. The features, greatly worn, are exposed. The right hand is in the act of drawing or restoring the heavy cross-hilted sword which hangs by two straps secured to a broad leathern belt. The left hand grasps the scabbard. The legs are crossed at the knee, and the feet rest on a dog or on a lion couchant.³ On the heels were plain prick-spurs. Above and below the knee may

¹ College of Arms. The differenced form of the motto, claimed by the Swinnertons of Butterton, was *Avanceez et archez bien*, indicating an offshoot from the main stem, not of knights, but of squires and mounted archers.

² From a pedigree of Swynnerton of Butterton dated 1713.

³ "Thou shalt go upon the lion—the young lion shalt thou tread under thy feet." (Ps. xci, 13.)

be traced a band indicating apparently the use of a leathern knee-cap. On the left arm hangs an early Norman convex shield, which is 34 inches in length, 19 inches broad at the top, and 16 inches broad in the middle. The original model must have been even longer, probably the full yard, as it narrows rapidly from the centre down, and like the figure looks much worn, the point especially. The evidence of the shield, its dimensions and its form, led the late Mr. Planchè, Somerset Herald, to attribute the work to the first half of the twelfth century (1125). The bands above and below the knee suggest a date considerably later, though it has yet to be proved that (leathern) knee-caps were never worn before the middle of the thirteenth century. There is no inscription on the tomb, which itself is an argument of greater antiquity, and the surface of the shield is quite plain. In all respects it bears a very close resemblance to the effigy of Maurice Berkeley de Gaunt in the Mayor's chapel at Bristol, who was buried there in 1230, excepting that the latter figure does not carry a shield.

The foregoing considerations constitute a mass of accumulative evidence tending to show that a lord of Swynnerton accompanied Richard Cœur-de-Lion to the Holy Land in 1191, and those who, with Mr. Planchè, the late Somerset Herald, regard this uninscribed figure as early work, will be disposed to identify it with Sir Robert de Swynnerton, whose claims are thus set forth. In other words, its date would range from 1224 to 1230.

There is, however, another alternative with claims on our attention which cannot be ignored, and that is, that the figure marks the tomb of Sir John de Swynnerton of Sugnall, who, even before he acquired Swynnerton, and much else besides, by his marriage with his cousin Margaret, the heiress of Swynnerton, was already a man of much wealth. This John de Swynnerton died lord of Swynnerton about 1254, and the arguments in his favour are these:—

1. He was the founder of a new line of lords of Swynnerton.
2. He was almost certainly a second founder of the church, which, originally Norman throughout, must have been rebuilt by him in the Early English style of Gothic architecture, which characterizes the middle of that century, and which the fabric displays to the present day. This fact would have entitled him to interment in

that part of the new chancel reserved for a founder, the very spot, in fact, occupied by the effigy. And the same hypothesis would account for the removal of one of his own Early English *sedilia* for the purpose of affording sufficient space for the admission of body and figure in the niche designed for it in the south wall.

3. So far as the dates allow us to judge, Sir John de Swynnerton died a comparatively young man, and, as we shall see, the inmate of the tomb also died a comparatively young man.
4. His wife, Margery, lady of Swynnerton in her own right, survived him, and what so likely as that she should have placed a monument to his memory there?
5. During the whole of Henry III's time English gentlemen were constantly going to and from Jerusalem, as the Plea Rolls of that period testify. Many were the Crusades of that time, and it is far more probable than improbable that John de Swynnerton followed the fashion of his day.

If, therefore, it cannot be conceded that the effigy belongs to the earlier date, it might be safely assigned to the later one, that is, to a date not earlier than 1255. In other words, if the figure is not the portrait of Sir Robert de Swynnerton of King Richard's time, who was one of the crusaders of 1191 beyond any reasonable doubt, it is probably that of Sir John de Swynnerton of King Henry's time, from whom all succeeding lords of Swynnerton hailed their direct descent.

But whatever the history of the figure, it certainly marks the present resting-place of one of the earliest lords of Swynnerton, and not only so, but the resting-place of the very knight whose image reposes above, for beneath it there is a grave or burial chamber carefully built with ashlar work, which, on being opened by some accident during the restoration of the church in 1856, was found to contain the body lying exactly, and close under, the stone figure, and *corresponding with it in length*—6 feet 2 inches. Portions of his arms were found within, what appeared to have been a lance-head, and other fragments of iron, but greatly consumed by rust. The corpse had been wrapt in lead a quarter of

an inch thick, made to fit close to the form, but it was burst open, as is usually found to be the case with leaden coffins. There appeared to have been a coffin of wood outside the lead, but it was reduced to a soft kind of powder. The skeleton was very perfect. *All the teeth were sound and firmly fixed in the jaws*, excepting two in the front, which were missing. The bones were still clothed with flesh as in life, or rather with the semblance thereof, but it fell to dust soon after exposure to the air. The beard was in perfect preservation and of a *reddish brown*. The rector, the Rev. W. Taylor, who gave me this account, inspected the tomb in company with Mr. Thomas Fitzherbert, the lord of the manor, almost immediately after it had been broken open. The masonry was at once restored, and the dead left once more to rest in peace. But the accident which had disturbed him was scarcely one to be regretted, since it revealed to us a vision of a mediæval knight as he really was. He rises before us lofty in stature, ruddy in complexion, with auburn locks, and in the vigour of life. Two of his front teeth have been driven in by a lance-thrust. His weapons of war lie by his side, and, if he was a companion of Cœur-de-Lion, we are at liberty to imagine the resolution with which he may have used them, whether at the storming of Buffavento, or on the walls of long-beleaguered Acre.





APR 75



N MANCHESTER,
INDIANA

